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CONTRIBUTIONS

TO THE

ECCLESIASTICAL HISTORY

OF THE

UNITED STATES,

BY



FRANCIS L. HAWKS, D. D.

RECTOR OF ST. THOMAS' CHURCH NEW YORK.

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A

NARRATIVE

OF EVENTS CONNECTED WITH THE

RISE AND PROGRESS

OF THE

PROTESTANT EPISCOPAL CHURCH

IN

MARYLAND.

P R E F A C E .

In presenting to his brethren another volume of ecclesiastical contributions, the author feels that his first duty is to express his grateful sense of the kindness with which his former effort was received. Prepared as that volume was under many disadvantages, its reception was still so favourable, that encouragement was thence derived to prosecute his undertaking, and to spare no efforts to procure authentic information. Under the auspices of the Church, the author therefore visited England, and was kindly afforded every desirable facility in his researches. The result of those researches will, in part, be seen in the volume now submitted to the reader.

The book, as the author believes, will be found to contain much that is unknown to American Episcopalians generally; and he ventures to hope that others will feel some interest in these new matters, from the fact, that their discovery interested him; he therefore trusts that, if destitute of all other merit, the present volume may at least lay claim to novelty in some particulars. It is no departure from a becoming modesty to express this trust, because the novelty alluded to is not that of either invention or execution. The author has but used facts that were before him, and endeavoured to weave them into a narrative that would not prove tedious to the reader.

For the facts, the authorities are cited; for the reflections suggested by those facts, and interspersed through the narrative, the author is responsible. There doubtless will be found those who differ from him in some of the opinions he has expressed and some of the deductions he may have made. He is content that it should be so. Requested by the General Convention to proceed in preparing the history of the dioceses, he has felt that he had nothing to do with any parties that have existed or may exist in the Church, further than to speak the truth about them. He will not wilfully prostitute his pen by writing as a partizan for either. He has endeavoured so to express himself as not to forget the charity of a Christian, and the courtesy of a gentleman; he asks no more from any one toward himself. As to his opinions, they

may be erroneous, and therefore he can bear that others should both think and say they are so. If they can convince him that he is in error, he will abandon the error; if they cannot, he will not quarrel with them. Should both parties complain, it will be in some degree evidence to him that he has done justice to both.

When the volume on Virginia was published, the hope was expressed that other religious denominations would direct their attention to the preservation of their respective histories. Whether the suggestion then made produced any effect, the author has no means of knowing; but within a recent period he has, with much pleasure, seen it announced that the public might expect the appearance, ere long, of the history of the Presbyterian Church in the United States. If well executed it will be a valuable addition to our historical literature.

But the object more particularly in view, in the present allusion to this subject, is the performance of an act of justice on the part of the present writer. In the enumeration made, in the preface to his former volume, of books connected with our own Church history, there was an omission of the labours of a brother in the ministry, who has now gone to his rest. The Rev. Dr. Dalcho of South Carolina, had published a volume full of interesting facts and valuable materials for a history of that diocese; and the present writer had been indebted to it for some of the information he used in his volume on the Virginia Church. As he may be called to follow his departed brother, before another opportunity is afforded him of publicly doing justice to the labours of Dr. Dalcho, he avails himself of this opportunity to say that the omission of his book was entirely undesigned. It arose from accident, and when he discovered it too late for correction, no one lamented it more sincerely than he did. Dr. Dalcho's work is one full of authentic information, collected by means of the most patient and laborious research.

It only remains to tender to such of the gentlemen of Maryland as have assisted the author with materials, his grateful acknowledgements; and to solicit at the hands of his brethren such indulgence for the faults of the present work, as candour and charity may see fit to dispense to a book prepared, as this has been, under the pressure of many cares not unmingled with sorrows.

New York May 20. 1839.

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ECCLESIASTICAL HISTORY

OF THE

UNITED STATES.

A NARRATIVE OF EVENTS CONNECTED WITH THE RISE
AND PROGRESS OF THE PROTESTANT EPISCOPAL
CHURCH IN MARYLAND.

CHAPTER I.

George Calvert, first Baron of Baltimore—his character—grant to his son Cecil, of Maryland—Settlement at St. Mary's—Just and liberal conduct toward the natives—Freedom of religion and security to property, the basis of colonial regulations—Troubles produced by Clayborne—First legislative assembly—Harmony of the colony—Baltimore invites settlers from Massachusetts—they decline coming—Indian war produced by Clayborne, in 1642—Clayborne's rebellion—Restoration of proprietors' authority—Law in support of toleration—Subjugation of Maryland to the Commonwealth by Clayborne's management—Conduct of the Independents in the colony—Clayborne's acts approved by Cromwell—Law to punish popery and prelacy—Fendal appointed governor by the proprietor—his treachery—Baltimore recovers his authority—Persecution of the Quakers by Fendal.

[1632.]

It has long been made the subject of boast by the posterity of those who planted New England, that their fathers were ready to encounter "perils in the wilderness" and "perils by the heathen," rather than forego the enjoyment of religious liberty. The descendants of the first settlers of

Maryland, may justly claim that they too sprang from men, who sought in the forests of America, the unmolested exercise of a faith and worship, which were not to be enjoyed in peace at home.

George Calvert, first Baron of Baltimore, was the projector of the settlement of that State, on a part of whose ecclesiastical history we are about to enter. Born of a protestant family, during the first years of his life he continued to profess the faith of his parents, and was employed in the reign of James I. in many important offices of state, in all of which, he acquitted himself with honour. In 1624, he conscientiously became a convert to the faith of the Church of Rome, and with the frank honesty which marked his character, he at once acknowledged to the king the change in his opinions, and resigned the office of Secretary of State, which he then held. The king, much to his honour, was so deeply touched by this ingenuous and manly conduct, that he not only continued him on the list of privy counsellors, but then created him Baron of Baltimore, in the county of Longford, in Ireland.¹

It is but justice to the character of this nobleman to add, that the change in his religious opinions did not in the least diminish his fidelity as a servant of the crown; and keeping aloof from all the conflicting interests, with which a court is apt

¹ 2 Belknap's Biography, 364.

to be disturbed, he behaved with such moderation and propriety, that all parties were pleased with him, and he was complained of by none. He is said by his biographers, to have been a man of great good sense, not obstinate in his opinions, and as willing to hear the sentiments of others, as he was to deliver his own. One trait in his character will be dwelt upon by the benevolent mind with peculiar pleasure : it was humanity. In the discussions which came before the council, touching the plantations on this continent, he never concurred with those who deemed the extirpation of the natives to be necessary : he contended that duty required the effort to convert, and civilize them. It was while he was Secretary of State, and one of the Committee of trade and plantations, that he obtained from the king a grant for the south-eastern peninsula of Newfoundland. This he thought would be the first spot in North America, where the gospel would be preached ; and therefore named it Avalon, from the monk, Avalonius, who was supposed to have converted the British King Lucius, and all his court, to Christianity.¹

This undertaking was prompted by the desire he had to find an asylum, to which he might retire, with such of his friends as entertained religious opinions similar to his own, and were

¹ 2 Belknap, 365, and authorities there cited.

willing to accompany him. The molestations of the French, however, at length induced him to abandon the enterprise, but not to relinquish the purpose of establishing, somewhere in America, a home for those who were of the Church of Rome, and disposed to emigrate.¹ Accordingly, it was not long before he visited Virginia, and there experienced the treatment which has already been recorded in a previous volume of our work.² Upon this visit, he had an opportunity of examining the bay of Chesapeake, and found that there was no settlement of whites, north of the river Potomac. On his return to England, he applied to Charles I. for a grant of territory north of that river; the king acceded to his request, but before the patent had passed the proper offices, Lord Baltimore died, leaving, as his eldest son and heir at law, Cecil, who succeeded to his estate and title.

On the twentieth of June, 1632, the patent, within which the present state of Maryland is included, was issued in favour of Cecil, Lord Baltimore; and it may serve to impart more clearness to some of the future portions of our story, if we here pause for a moment, to contemplate the English settlements then existing on this continent. The only plantations which were to be found in

¹ Chalmer's Annals, 201.

² Narrative of Events connected with the P. E. Church in Virginia, p. 47

1632, were those of Virginia and New England. In Virginia, from the time of the discoveries of Captain Smith, the inhabitants had been too much occupied in providing the means of subsistence, or repelling the attacks of savages, to find leisure for exploring the noble bay near which they were settled. After the accession of Charles I., however, the spirit of discovery awoke, and in May, 1631, a royal license was granted to William Clayborne, "to traffic in those parts of America for which there is already no patent granted for sole trade." In the beginning of 1632, Harvey, the then governor of Virginia, enforced what his sovereign had thus granted, and Clayborne and his associates endeavoured to monopolize the trade of the Chesapeake. To this end, a small colony was planted on the island of Kent, which is situated in the centre of Maryland, and the colonists of Kent, it is said, sent representatives to the Virginia house of burgesses, before the grant to lord Baltimore was made.¹

According to the custom of the day, in cases of colonial grants, the patent to his lordship professed to have in view, "a laudable zeal for extending the Christian religion, and the territories of the Empire," and bestowed on the proprietor, "the patronage and advowsons of all churches which, (with the increasing religion and worship of Christ,) within

¹ Chalmer's Annals, Book 1, Ch : ix.

the said region, hereafter shall happen to be built, together with license and faculty of erecting and founding churches, chapels, and places of worship, and of causing the same to be dedicated and consecrated according to the ecclesiastical laws of our kingdom of England."¹

It was not long before the proprietor availed himself of his grant, and began his preparations for collecting and transporting a colony to take possession. It was at first his intention to head the enterprise himself; but changing his purpose, he appointed his brother, Leonard Calvert, governor of the contemplated colony; and to him, with Jeremy Hawley and Thomas Cornwallis as assistants, he confided the work.² In November, 1633, the first emigrants, consisting of about two hundred gentlemen of considerable rank and fortune, with their adherents, sailed from England. This company was composed almost entirely of members of the Church of Rome. On the 24th of February, in the following year, they reached Point Comfort, in Virginia, whence, after a short stay, they sailed up the Potomac in search of a site for the colony.³ The first land on which they formally entered, was an island, which they called St. Clements, and here they erected a

¹ Bacon's Laws of Maryland.

² A relation of Maryland, a tract of 1635. 2 Belknap, 372.

³ Chalmer's Annals, Book 1, Ch. ix. 2 Belknap, 373. 1 Oldmixon-Maryland, McMahon's Maryland, 194.

cross, and took possession, "in the name of the Saviour of the world, and the king of England."¹

Running into the Potomac from the north, between ten and twelve miles from its mouth, is a bold, broad stream, known at this day by the name of St. Mary's river: on the eastern side of this river, about six or seven miles from its mouth, stood, at the time of which we write, the Indian town, *Yaocomoco*. The inhabitants of this place, in consequence of the repeated incursions of the Susquehanocks, a powerful and warlike tribe, living between the Chesapeake and Delaware bays, had determined to quit their country, and retire to the westward; and indeed some had already actually removed. Finding the situation such as was desired, with a town already built, (though the habitations were, of course, rude enough,) and with the land in its immediate vicinity brought under cultivation, Governor Calvert resolved here to plant his colony; and commencing with an act of justice, of which the native of Maryland may well be proud, he purchased of the savage proprietors, a right to the soil before he took possession. For a compensation, with which they were satisfied, the Indians consented to surrender a sufficient number of their habitations to accommodate the colonists, and, removing into the others, to remain, according to their agreement, until the next harvest; and

¹ A relation of Maryland, p. 3. ² Belknap, 373.

as it was the season for planting, both parties commenced the work. Thus, on the 27th of March, 1634, began the settlement of the state: and thus were laid the foundations of the old city of St. Mary's, by those whom the historian, with pardonable pride, has called "the Pilgrims of Maryland."¹

The colonists, who had thus commenced their settlement with an act of justice, found their reward in the confidence which it produced in the minds of their savage neighbours; and the first records of Maryland history therefore present no story of Indian warfare and massacre. With the advantages of a favourable season of the year, and land already prepared for cultivation, the colonists found no difficulty in providing a sufficiency of food, not merely for themselves, but also for those whom they expected soon to follow them from England. With a policy, the wisdom of which was the more remarkable as it was far in advance of the spirit of the age, Lord Baltimore laid the foundation of his province on the broad basis of freedom in religion, and security to property. Christianity, as a part of the old common law of England, was established by the proprietor, without allowing any pre-eminence to any particular form of its exhibition; and to every emigrant,

¹ A relation of Maryland, 6, 7. 2 Belknap, 376. McMahon's Maryland, 195.

a grant was made of fifty acres of land, in fee simple.¹ The natural consequence of this enlightened liberality was soon apparent: men will exert themselves, exactly in proportion to the security with which they are permitted to enjoy the fruits of their efforts. Many emigrants, most of whom belonged to the Church of Rome, soon came over, so that in the first two years of the existence of his colony, Lord Baltimore expended in the transportation of men and provisions, more than forty thousand pounds.²

Indeed the only interruption to the tranquillity of the colony during the first seven years of its existence, seems to have been created by Clayborne, (who had planted on Kent Island, the trading settlement of which we have spoken already, and) who will be found in the prosecution of our narrative, to have been in some mode connected with every disturbance in the province, whether civil or religious, for the first twenty-five years of its settlement; so that a historian of the colony has not scrupled to call him, "the bane of Maryland."³ In 1634, despising the authority of the infant settlement, because its power was less than its right, he scattered the seeds of jealousy among the natives by unscrupulously asserting that

¹ Chalmer's Annals, 207-8.

² Ibid. 208.

³ A relation of Maryland, p. 11. Chalmer's, 210.

the new comers were not Englishmen, but Spaniards, and the enemies of Virginia: while he found no difficulty in infusing his own spirit of lawless opposition into the inhabitants of Kent Island. The consequence was, that he was at length indicted, and found guilty of murder, piracy, and sedition, and escaped merited punishment by a flight into Virginia, leaving the province to enjoy temporary quiet, until some revolution of the wheel of fortune should once more throw him within its limits.¹ The inhabitants of Kent Island, having come from Virginia, were probably all protestants, and there is reason to believe that a few, also, of those whom Lord Baltimore had sent over, and who were living at St. Mary's, were not members of the Church of Rome.

Clayborne professed to be a protestant, and possessed that easy flexibility of conscience, which is apt to belong to the man who would make a show of religion perform the office of charity, and "hide a multitude of sins." Accommodating himself to the taste of the dominant party, his protestant feelings were by no means fastidious in the selection of their mode of expression; and from his life we learn, that he could be churchman or puritan, cavalier or roundhead, with equal ease, and probably with equal sincerity. It cannot with certainty be affirmed that in his first effort

¹ Chalmer's, 210. McMahon's Maryland, 200.

at disturbance, he resorted to the religious prejudices of the protestants, which he might hope to arouse; though it is probable that he did so, and so far as his lordship's colonists were concerned, without success, for they felt that they had no cause of complaint against the proprietor.

He had carried out in good faith, the principle which he had professed on the subject of religion. The course of the government has been truly described as one, "which tolerated all Christian Churches, and established none." To one conversant with the history of the times, and therefore but too familiar with many a bloody enactment, elsewhere made, by which persecution was elevated into piety; it is refreshing to find in the bosom of a little colony, scarce known by name even to the nations of the old world, the blessed influence of a holier principle, proving its goodness by its effects, and presenting a picture, from which the legislators of ancient empires might have caught a lesson of wisdom, and learned, if not to condemn the wickedness of persecution, at least to avoid its folly. There is no prouder tribute to the memory of Cecil Calvert, than is to be found in the oath of office which, from 1636 onward, he prescribed for his governors.—"I will not, by myself or any other, directly or indirectly, trouble, molest, or discountenance any person professing to believe in Jesus Christ, for, or in respect of religion: I will

make no difference of persons in conferring offices, favours, or rewards, for or in respect of religion; but merely as they shall be found faithful and well-deserving, and endued with moral virtues and abilities: my aim shall be public unity, and if any person or officer shall molest any person professing to believe in Jesus Christ, on account of his religion, I will protect the person molested, and punish the offender.”¹

The first legislative assembly which met in the province was convened in 1634, and was probably composed of all the freemen then in it, for their number was but small. Very little however is now known, or to be discovered of their proceedings; though what remains, is in accordance with the spirit of wisdom and liberality, which as we have seen, marked the first steps in the work of settlement. In 1637, Calvert, the governor, convened another assembly, and as the increase of emigrants had led to settlements at some distance from St. Marys, the province was divided into baronies and manors, and among the first laws passed, was one, “for settling the glebe,” the particulars of which, have not come down to us.² In the succeeding year the third assembly met, and now, such had become the increase of residents in the colony, that a change in the mode of legislation was called

¹ Chalmer's, 235. McMahon's Maryland, 226.

² Bacon's Laws of Maryland, 1637. Chalmer's, 211.

for. Up to this time, the whole body of freemen seem to have consented in person to every law, but now, an act was passed, for the election of representatives, who were to be called burgesses, and "the house of assembly" was constituted. In the code of enactments made by the legislative body of 1638, the only one with which our subject has any immediate connexion, was that which declared, that "Holy Church within this province shall have and enjoy all her rights liberties, and franchises, wholly and without blemish:"¹ and this law was enacted to continue in force, till the end of the next general assembly, and then, with the consent of the lord proprietor was to be perpetual. It is difficult to determine precisely what was meant by this enactment. If those, by whom it was made, were of the Church of Rome, and intended by the phrase "Holy Church," to designate that communion, then was it in violation of the principle of toleration, which allowed of no preference to any. As has been remarked too, it would have puzzled the wisest doctors of the Church of Maryland, at that day, to have told what her franchises were.² The language is copied literally from the great charter of England, and its subsequent confirmations, and was probably adopted without any very strict attention to its

¹ Bacon's Laws of Maryland, Anno 1638. 1640. Chalmers's, 213.

² Chalmers 213.

import, and without a design to express preference for any particular communion. In 1640, it was re-enacted in the same words, and as we shall see, at a future period, became a perpetual law of the province.¹

Under the enlightened policy of Lord Baltimore, the colony steadily advanced in prosperity, increasing both in comfort and numbers. Roman Catholics and Protestants, alike found protection and security, and lived in harmony. The benevolent spirit of his Lordship however, was so much in advance of the received opinions of that day, that there were good men by whom it was neither understood nor appreciated.

In his desire to add to the prosperity of Maryland by an increase of its inhabitants, he looked only to the moral worth and fitness of those whom he invited to his province, and paused not to inquire into the peculiarities of their creed. Accordingly in 1643, he wrote to Captain Gibbons of Boston and sent him a commission, with an offer of land in Maryland, and free liberty of religion, to any of the colonists of Massachusetts who would accompany him, and reside there; but (says Winthrop) "our captain had no mind to further his desire herein, nor had any of our people temptation that way."² It is indeed true, that

¹ Bacon's Laws of Maryland.

² Savage's Winthrop, Vol. II. 148.9.

their "temptation" was then taking them in another way, less innocent than would have been the way to Maryland. This letter to Gibbons reached Boston, about the time of a transaction which it were to be wished, could not be written upon the records of New England's history. The inhabitants of the Massachusetts, had but just been thrown into a pious consternation, by the stupid and unintelligible ravings of Gorton and his followers which merited nothing but contempt; and were now settling down into the repose produced by a sentence upon the poor sufferers, which purposed to cure heresy with fetters.¹ At such a time, to offer "liberty of religion" to men, who were congratulating themselves upon the successful application of their iron preservative of orthodoxy, doubtless provoked a sneer at the stupidity which could present *toleration* merely, as a temptation to removal. Human ingenuity could not have devised a better-timed or keener rebuke than is contained in this offer of religious freedom, from the persecuted papist to his protestant fellow sufferer; human wit could not have made the memory of that rebuke, more lasting than it is made, by the scornful rejection of the offer.

We have already remarked, that the first records of Maryland, present no tale of Indian warfare: in 1642 however, the picture was changed,

¹ Savage's Winthrop, Vol. II. 142 to 149.

for Clayborne succeeded in that year in producing the first open war between the colonists and natives, by means of his assertion, that the former were Spaniards, and not Englishmen. The strife brought its usual accompaniments of expense and distress, to the settlers. Clayborne's agency in the production of these troubles, was not however, the only ill office, which they had cause long to remember ; for scarcely had peace been restored, before he appeared in person, to head a rebellion in the colony.

The times were propitious to his purpose, for rebellion was then busy in the mother country. The turbulent spirit of the day, roused men's minds from their usual repose ; and reaching even to the little colony of Maryland, stirred up those who, as they were seldom accustomed to think, therefore thought wrong, and were given to change without an adequate cause.

The aspect of affairs in England was such, as made it easy to foretel in what character, Clayborne would now exhibit himself. His was not the spirit to adhere to the broken fortunes of a failing cause, and as the royal government at home had but little to offer to its friends, he, of course deserted it. He had the address (for he was not destitute of talents) to bring around him a force sufficient to usurp the direction of the province ; Calvert the governor, was compelled to fly

into Virginia for protection, and affairs were administered by Clayborne, and his associates, after a manner, not quite becoming in *saints*, and savouring somewhat of a want of *civilization*: for among the memorabilia of this insurrection, is to be recorded, the destruction of the larger part of the colonial records. How far it pleased the author of this rebellion to encourage religion, during its continuance, we have no means of knowing; though it is not probable, that the new fledged parliamentarian would overlook so potent an implement in his machinery of revolt, as that holy cant, which had succeeded so well at home, in misleading fools.¹

In 1646, Calvert was restored to the government, and, as it would seem, with the hearty consent of the people: for, as the parliament party was now triumphant in England, it is probable, that Clayborne's management had been marked by oppression and misrule, or he would not have been so speedily expelled. The first act of Calvert's restoration was a general amnesty, from the benefit of which however, the master spirit of mischief was very properly excluded; and the colony was then occupied for years, in recovering from the disastrous effects of the rebellion. After the restoration of Calvert, affairs connected with religion were left to follow once more the broad and

¹ Chalmer's Annals, 217. McMahon, 201. 202.

safe path, on which they had travelled, before Clayborne interrupted them. All enjoyed in quiet their respective opinions, without molestation, and during the subsequent troubles excited by the civil wars of England, Maryland persevered in a course of neutrality. She had no cause to do otherwise, for, under the proprietary government, the people were not oppressed, and therefore, felt but little sympathy with those who managed revolutions at home; while their own short experience had taught them, that a revolution might be worse as a remedy, than the disease which it professed to cure.

One of the earliest acts of the assembly, after tranquillity was restored, was designed to secure to every man the enjoyment of his religious opinions; and the spirit, which prompted the act, deserves honourable remembrance, because it furnished an example of generous christian feeling, unknown at that day in any other settlement on the continent.

It has commonly been supposed, that the merit of having thus early made an escape from the spirit of bigotry and intolerance, belongs almost exclusively to the Roman Catholics: but from the testimony of a contemporary, such would appear not to have been the fact. There doubtless were Roman Catholics in the legislature to share the honour with their companions in that body; but our authority informs us, that divers

others had removed into the colony, every possible encouragement had been given to such removals, by the lord proprietor, "and because there were some few papists that first inhabited there themselves, and others, being of different judgments, an act passed that all professing in Jesus Christ should have equal justice, privileges and benefits in that province, and that none on penaltie (mentioned) should give the terms either of roundhead," &c.¹ But to whomsoever the credit may be due, so it was, that while the Independents of Massachusetts were persecuting all who differed from them; and the Churchmen of Virginia visited the Independents in turn with the penalties of dissent, the legislature of Maryland declared, "that the enforcement of the conscience had been of dangerous consequence in those countries wherein it had been practised," and therefore enacted, "that no persons professing to believe in Jesus Christ, should be molested, in respect of their religion, or in the free exercise thereof, or be compelled to the belief or exercise of any other religion, against their consent; so that they be not unfaithful to the proprietary, or conspire against the civil government: that persons molesting any other in respect of his religious tenets, should pay treble damages to the party aggrieved, and twenty shil-

¹ Hammond's Leah and Rachell, or the two fruitful sisters of Virginia and Maryland. A tract written in 1656.

lings to the proprietary : that those, reproaching any with opprobrious names of religious distinction, should forfeit ten shillings to the persons injured : that any one speaking reproachfully against the blessed virgin or the apostles should forfeit five pounds ; but blasphemy against God should be punished with death." It was also enacted by the same law, that in case of inability to pay the fines above mentioned, the offending party should be whipped ; and in the case of using reproachful words concerning the apostles or evangelists, for the third offence, the punishment was confiscation of property, and perpetual banishment from the province.¹

In confirmation of a previous remark it should be added, that the language of this enactment furnishes us with some evidence, of the mixed character of the population, in the enumeration of those terms of personal reproach which were made punishable : we find mentioned among them, "Heretic, Schismatic, Idolater, Puritan, Independent, Presbyterian, Popish priest, Jesuit, Jesuited papist, Lutheran, Calvinist, Anabaptist, Brownist, Antinomian, Barrowist, Roundhead and Separatist ;" and it is not improbable, that the individual application which had been made of these several terms, led to their specific enumeration : it is to be supposed therefore, that there were

¹ Chalmer's Annals, 218. Bacon's Laws of Maryland, 1649. Ch. 1.

some belonging to most of the classes above named.

This law, although, in some of its provisions, it may fall short of the principles of toleration, as held at the present day, was nevertheless, so much beyond the then received opinions of the world, that it would be unjust to withhold from those who made it, the tribute of admiration. There was as much of prudence, as of kindness in it. Maryland needed colonists, and still continued to find them among the persecuted Independents in Virginia, who, assured of protection under this statute, followed the example of some of their brethren, and emigrated in considerable numbers to the sister province.¹

In 1650, the colony was divided into four counties, or rather, the new county of Anne Arundel, was added to the three (St. Mary's, Kent, and Calvert,) already existing,² and the legislature, for the first time, sat in two houses, the upper containing eleven members, including the governor; and the house of burgesses, consisting of fourteen; while an increased state of prosperity would seem to intimate that the colony had recovered from the disastrous effects of the rebellion of 1645.³

¹ Chalmer's Annals, 219.

² Leah and Rachell.

³ Chalmer's, 221.

But this state of prosperity was destined to be of short continuance. Maryland, as we have already stated, pursued a course of neutrality, with respect to the troubles at home. In one unfortunate instance, however, there was a slight departure from it, which the proprietor had cause to remember for many years. It was in the year 1649, immediately after the execution of Charles I., that Greene, the acting governor, under a commission from Governor Stone, then temporarily absent, formally proclaimed the accession of Charles II. No measures were adopted, however, to sustain the king in the colony: but the act was not forgotten.¹

In 1650, the council of state for the commonwealth directed its attention to the subjugation of the plantations, and the unfortunate colony found, to its cost, that its evil genius, Clayborne, had lost neither the talent nor the inclination, to do mischief. The commission that was issued included Clayborne in the number of the commissioners, and purported to direct the subjugation of Virginia. Maryland was not named in it, but by the ingenuity of Clayborne, as it is supposed, language was inserted which enabled him to visit Maryland with the infliction of his long cherished vengeance;

¹ McMahon's Maryland, 203.

for the commissioners were instructed, upon their arrival in Virginia, to use their "best endeavours, to reduce all the plantations within the bay of Chesopiaik to their due obedience to the parliament of the commonwealth of England."¹

Clothed with this authority, it was not long ere Clayborne caused his presence to be felt. He had, some time before, in accordance with his usual policy of attaching himself to the strongest party, become an avowed puritan; and after the reduction of Virginia, in 1651, he turned his attention to Maryland. The hospitality which had so generously afforded an asylum in the colony, to the persecuted Independent of Virginia, now met with an ungrateful return. According to the testimony of an eye witness, the very men who had been sheltered from the storm, and secured in the enjoyment of all that either reason or justice could demand, "finding themselves in a capacity to oversway those that had so received and relieved them, began to pick quarrels, first with the papists, next with the oath of fidelitie to the proprietor, and lastly declared their aversenesse to all conformalitie, wholly ayming (as themselves since confessed) to deprive the lord proprietor of all his interest in that country, and make it their owne."²

¹Thurloe's state papers, vol. I. 198. McMahon, 204.

²Leah and Rachell.

Clayborne's proceedings furnished them with a pretext; for, "upon the setting forth of a fleet intended for the reducement of Virginia, Bennet, and one Claibourne, (a pestilent enemy to the well-faire of that province and the lord proprietor,) having a commission directed to them and others, to reduce Virginia, (not Maryland, for they were in obedience to the commonwealth of England, and great assistance to the said fleet,) although they knew Maryland to be excluded and dasht out of their commission, yet because the commission mentioned the bay of Chesapeack, (in which Maryland was, as well as Virginia,) yet they were resolved to wreth and stretch their commission to the prejudice of Maryland; and becoming abettors and confederates with those serpents that had been so taken in, presumed to alter the government and take away the governor's commission, putting in others in their place."¹ Religion was a convenient pretence, under which to carry on their designs; "but, (says our authority,) it was not religion, it was not punctilios they stood upon, it was that sweete, that rich, that large country they aymed at;"² and hence we are not surprised to find, that they permitted nothing to stop them in their career.

¹ Leah and Rachell.

² Ibid.

They did indeed suffer Stone, the proprietor's governor, to retain and exercise his powers until the pleasure of the commonwealth government could be known; and this state of things continued until 1654. But Clayborne had no design to permit it to become permanent. Allying against the governor intentions hostile to the interests of the protector, and in the acknowledged absence of any overt act of opposition, the master spirit of misrule compelled Stone to surrender his powers without resistance; and affairs were administered by a board, composed of ten commissioners, appointed by Clayborne and his associates. Scarcely, however, had the act of surrender been consummated, before Stone resolved upon resistance, and gathering together a force of about two hundred men, the unfortunate province exhibited, upon a small scale, scenes of civil discord and fraternal strife, similar to those which had been acted in the mother country. The Roman Catholics adhered to the old state of things, and took part with the representative of the proprietor: the Puritans were determined on innovation, and sought to assimilate matters to what was called, "the perfect model," at home. The commissioners, backed by the power and resources of Virginia, which had now submitted to them, soon proved that the contest was altogether unequal. Various skirmishes were fought, with alternate success, until a decisive bat-

tle which took place near the Patuxent, sealed the fate of the proprietary government. Stone was taken prisoner, and doomed to die by a military execution ; but the soldiers who were detailed to consummate the sentence, refused to perform the task, because they remembered the mildness and equity of the late governor's administration. His life, therefore, was saved, but it was that he might endure the miseries of a long imprisonment. Others, who bore arms with him were less fortunate, for four of them were shot.¹ The commissioners were now completely triumphant, and Cromwell, when informed of their proceedings, sanctioned their acts, and sustained the government which they had established.

The first law of the legislature which convened under the new order of things, was to recognize Cromwell's title to, and authority over, the province, as just ; and the next was, to establish "an act concerning religion," which repaid the former humanity of the Roman Catholics, as the warmed viper of the fable requited the kindness of the compassionate husbandman ; for this act declared, "that none who professed and exercised the popish (commonly called the Roman Catholic) religion, could be protected in this province by the laws of

¹ Leah and Rachell—Chalmer's, 222—McMahon, 206-7.

England, formerly established and yet unrepealed: nor by the government of the commonwealth of England, &c.; but to be restrained from the exercise thereof, &c. That such as profess faith in God by Jesus Christ, though differing in judgment from the doctrine, worship, or discipline, publicly held forth, should not be restrained from, but protected in the profession of the faith, and exercise of their religion: so as they abuse not this liberty to the injury of others, disturbance of the peace, &c.; *provided* such liberty was not extended to *popery* or *prelacy*; nor to such as under the profession of Christ, held forth and practised licentiousness.”¹ This is the first enactment against religious liberty to be found in the statute book of Maryland: it came from men who had fled from persecution, it was aimed at those who had afforded an asylum; further comment is unnecessary.

The interest of the proprietary was now, for a time at least, at an end; and yet he had many friends in the province, who remembered him with gratitude, as a kind ruler, and sympathized with him in the loss of a government which had been wrested from him for no crime. Even while the protectorate was in the plenitude of its power, the friends of Lord Baltimore submitted reluctantly to

¹ Bacon's Laws of Maryland, Anno 1654.

its dominion, and openly advocated the restitution of his government. Nor was his lordship disposed tamely to acquiesce in the wrong which had been done him. Virginia, availing herself of the unpropitious state of his affairs, had renewed her claim to Maryland; and approaching Cromwell, through the avenue of his supposed religious prejudices, sought to impress upon him, that the restoration of the proprietary to his rights would only establish all the evils of that dreaded monster, *toleration*. While the matter was yet in discussion before a committee to whom the protector had referred it, Lord Baltimore, in 1656, issued a commission in his own name, to Josias Fendall, appointing him his governor. The habitual turbulence of this man had been mistaken for zeal and attachment toward his lordship, and his career was one of unprincipled baseness. He soon succeeded in exciting a rebellion against the commissioners, so that there were at one time, two distinct governments in the province, that of the commissioners at St. Leonard's, and that of Fendall, at St. Mary's. At length, in 1657, an arrangement was made in England, between Lord Baltimore and the agents of Virginia, by which it was agreed that the province should be surrendered to the former, on certain conditions. Fendall received instructions accordingly, and, in 1658, all authority was formally surrendered, by the commissioners, to him.

Scarcely, however, had he thus obtained the power, before he abused it, by an act of singular treachery. By means of an artful intrigue and conspiracy with the house of burgesses, he abolished the upper house of assembly; and surrendering his commission from the proprietary, to the lower house, took from that body a new authority, and thus usurped dominion to himself. His sway was short, for his lordship soon displaced him. Charles II. had just been restored, and gave to the proprietary a general letter to all the officers and inhabitants of the province, to assist the lawful owner in regaining possession. Armed with this power, Philip Calvert, the brother of Lord Baltimore, came over with a commission, as governor, and had no difficulty in assuming the government, for Fendall found no support from the people. His brief reign was probably marked by oppression, as he has left behind him a memorial which reflects no lustre on his character; for it brands him as a persecutor. His victims were the quakers; he described them, "as composed of vagabonds, that have of late presumed to come into the country, and dissuade the people from complying with military discipline, from giving testimony, from serving as jurors, or in office:" and the instructions given his officers were, "to cause them to be apprehended and whipped." This is the second exhibition of religious intolerance

upon the Maryland statute book, and it is worthy of note that, like the first, it proceeded from men who had stolen the power which they thus abused.¹

After the restoration of the proprietary government, affairs resumed their former course of regularity, and proceeded for some years with but little to interrupt their prosperous progress, as we find that the province steadily increased both in population and wealth.

¹ McMahon, 212, 213—Chalmer's, 225. Bacon's Laws of Maryland, Anno 1659.

CHAPTER II.

First notice of the Church of England in Maryland, 1676—Complaint of Mr. Yeo to the Archbishop of Canterbury—his representation of the state of religion—Strictures thereon—Lord Baltimore called on to provide support, by law, for the Church of England—his conduct—Hostility to the Church of Rome—The “popish plot,” in Maryland—The turbulent conduct of Fendall and John Coode—Visit of Baltimore to England, in 1684.—Complained of for partiality to Church of Rome—Is ordered to confer all offices on protestants—Ill will of the king to the proprietor—cause thereof—Father Peters—*Quo warranto* issued against Maryland—Abdication of James and accession of William of Orange—Effects, in Maryland, of the revolution in England—The “Protestant Revolution”—attempt to explain its causes—The “Protestant Association”—character of its leader, Coode—Success of the revolutionists—their first convention—Declaration of the associates in arms examined—Treatment of Lord Baltimore by the king—Royal government established 1691—Sir Lionel Copley first governor.

[1676.]

It will be remarked, that hitherto our narrative has been silent, with respect to the Protestant Episcopal Church, in Maryland. The reason is obvious; for though there were members of that Church living within the province, yet they were not numerous; and had they been so, still there would have been little to relate concerning them, because, as all religious denominations were tolerated, the early histories of Maryland dwell particularly upon the progress of none. The intro-

ductory narrative on our previous pages, has therefore been sketched for the purpose of presenting such a general view of the state of the province, both in its civil and religious affairs, as would render more intelligible what remains to be told.

We come now, to the first distinct account of the Protestant Episcopal Church, which has rewarded our researches into the early records of Maryland history. Cecilius Calvert, Lord Baltimore, the first proprietary of Maryland, died in 1675, covered with the honour of a well earned reputation. His son and heir, Charles, was then, and had for some years been, governor of the province, and as soon as he was informed of his accession, resolved to visit England, leaving the government in commission, to be administered by a deputy, in the name of Cecil Calvert, the infant son of the new proprietary. Scarcely however, had Charles Calvert reached his native land, before he found that both he, and his government, had been complained of to the crown. One subject of complaint had relation to the state of the Church in the province. A letter had been written by the Rev. Mr. Yeo of Patuxent, to the Archbishop of Canterbury, presenting a picture, which it must be confessed was hideous enough. "The province of Maryland" (thus he wrote) "is in a deplorable condition for want of an established

ministry. Here are ten or twelve counties, and in them at least twenty thousand souls; and but three Protestant ministers of the Church of England. The priests are provided for, and the Quakers take care of those that are speakers; but no care is taken to build up Churches in the Protestant religion. The Lord's day is profaned; religion is despised, and all notorious vices are committed; so that it is become a Sodom of uncleanness, and a pest house of iniquity. As the Lord Baltimore is lately gone for England, I have made bold to address this to your grace, to beg that your grace would be pleased to solicit him for some established support for a protestant ministry¹

How far the statements here made are correct, we have now no means of ascertaining. The picture is perhaps highly coloured, though it is not probable that it was entirely destitute of truth; for it is incredible that the writer would so confidently request an appeal, by the Archbishop, to the Lord Baltimore himself, had there been no foundation for the statements in his letter. His Lordship, it must be remembered, had resided for some years in Maryland, and it was a hazardous experiment thus to invite his denial, if all that was written was false.

Beside, to those familiar as we now are, with

¹ Chalmer's Annals, 375.

the growth of infant settlements, in various parts of this country, under circumstances too, more favourable to the developement and influence of religion, than any possessed at that time by Maryland; the fact is well known that a picture of morals, not very different from that here sketched, would accurately represent some of our new settlements: it is difficult to say therefore, why under similar circumstances, Maryland at that day should not have exhibited the vices, and defects, commonly attendant upon an infant colony.

It is not easy to discover what the writer meant, by the expression, 'the priests are provided for:' inasmuch as any exclusive support, afforded by the proprietary government to the ecclesiastics of the Church of Rome, would have been in violation of the professed principle, that all religious denominations were to be treated alike. It is however something less than fair for the historian to insinuate, as he has done, upon the testimony of this letter alone, that the sole object of the writer, was to procure for himself and brethren, the benefits of an establishment.¹ According to the prevalent opinions of the day, an establishment was deemed the only adequate remedy for such evils as are here depicted; and if in this the writer erred, it is at least charitable to re-

¹ Chalmer's, 363. McMahon, 215, who cites Chalmers alone.

member, that the error was then common to all the world.

The letter of Mr. Yeo was by his grace laid before the bishop of London, by whom it was submitted to the committee of plantations.¹ Lord Baltimore, in justification of himself, showed the act of 1649,² allowing equal privileges to every denomination of christians, and affording preference to none. He also informed the committee, that four ministers of the Church of England, (all probably that were then in the province) were in possession of plantations, from which they derived a decent subsistence.³ We have evidence from other sources, than the statement of his Lordship, to show that there was a spirit of liberality, on the part of some at least of the protestant laity, in making provision for the support of the clergy. It was only in the previous year, that five hundred and fifty acres of land had been devised by an individual to the first protestant minister, that should reside in Baltimore county, and his successors forever:⁴ and in the year of which we are now writing, another individual conveyed his personal estate to the corporation of St. Mary's, for "the

¹ Chalmer's, 375. 365. McMahon, 215.

² Vide Ante, 16.

³ Chalmer's, 365.

⁴ Bacon's Laws of Maryland, 1719. Ch. : VI. Griffith's Annals of Baltimore, 9.

maintenance of a protestant ministry from time to time among the inhabitants of St. Georges and Poplar Hill hundred.”¹ Lord Baltimore might therefore with truth have said, that the protestant cause was not destitute of friends in Maryland ; and that it would probably prosper, without the aid of an establishment. He did represent to the committee that the various religious tenets of the members of assembly would render it difficult, if not impossible, to induce them to make a law, obliging any denomination of christians to support other ministers than their own.² But this statement did not seem to satisfy the committee, for they declared that, in their opinion, there should be some maintenance for the clergy of the Church, and that his Lordship should propose means for the support of a competent number.

Having, however, answered all complaints against him, the proprietor returned to his province, and very wisely kept it in peace, by paying no attention to the opinion of the committee, on a subject which he understood far better than they did. The statute book shows no law for the support of the protestant clergy ; though it can scarcely be doubted, that the proceedings of the committee in this matter, served to give confidence

¹ Bacon, 4676 : Ch. xx.

² Chalmer s, 365.

to the few clergymen of the Church of England, who resided in the province; and it is not improbable that the seed was now sown which afterward brought forth, as its harvest, what is known in Maryland history, as the "protestant revolution."

A confirmed hostility to the Church of Rome was now obvious in the country, and, ere long, an opportunity was afforded for its developement. The memorable imposture of Titus Oates, known in the annals of England as the "popish plot," furnished the opportunity to which we allude. Indeed the whole aspect of political affairs in the mother country agitated, as usual, her distant colonies; it was scarcely possible for accurate information to reach them, and in the panic of men's minds, the exaggerations of fear or of falsehood, passed current for truth. The majority of the inhabitants of Maryland were now protestants, but the province was under the dominion of a Roman Catholic, and this fact only served to increase apprehension. The cry of "no popery," therefore, which at one time was wafted from England on every wind, was echoed back from the colony with an earnestness, if not with a clamour, quite equal to that at home. The miserable wretch, Fendall, whose ingratitude has already been detailed, not satisfied with having been twice a traitor, now added to his double treachery, by endeavouring to excite commotions. To him, a popish or protest-

ant dominion was alike indifferent, for his sole object was plunder. With him was associated one John Coode, an avowed revolutionist in the cause of *religion*, but, as our future pages will show, a wretch with no common share of villainy. These men were, however, soon put down by the firmness of the proprietary, who was ruling the province in person; and their attempt is mentioned, because it was the second step in the progress made toward the "protestant revolution," in which, as we shall see, Coode was a conspicuous leader.

After the suppression of this revolt, Lord Baltimore continued to govern the country until 1684, when the state of jeopardy into which his rights had fallen, compelled him to visit England. Up to the time of his departure, nothing materially affecting the Church, is recorded: though it is probable that the number of its clergy had increased by an accession of men who are represented as being remarkable only for a laxity of morals and scandalous behaviour, utterly inconsistent with the sacred office.¹ Complaints, however, had not been wanting, to injure his lordship at home. His partiality to papists formed a prominent subject of these complaints, and the late troubles in the pro-

¹ British Empire in America, vol. I. p. 333.

vince, occasioned by Fendall and Coode, were said to be attributable to this, as their cause. Statements on this point, it would seem, had, for some time, been made to the king; and they probably were but a portion of a preconcerted series of measures, on the part of those who had determined to effect, if possible, the "protestant revolution."

These complaints received a countenance from those in authority, to which they were not entitled. It was in vain the proprietary stated, as before, that the laws of Maryland allowed of no peculiar privileges to any religious denomination, but equally favoured all. It was in vain that he appealed to facts, as conclusive evidence of the untruth of the charge brought against him; the offices of the government were divided among protestants and Roman Catholics with as much equality as their different abilities would permit; and the former had in their possession all the arms and military stores, and the almost entire command of the militia.¹ All this availed nothing; he was ordered "to put all the offices into the hands of the protestants."

It would be a mistake to suppose that Charles II. was prompted to this by any zeal or peculiar

¹ Chalmer's, 369.

attachment to the protestant faith, for, as is well known, he was a profligate sensualist, indifferent to all religion. But he was very willing to seize upon this, or any thing else which furnished him with a pretext for taking away the charter of the proprietary. His system of restrictions upon the colonial trade had been resisted by Lord Baltimore, and this it was which had roused the resentment of the king. His lordship reached England (from which he was destined never to return,) just in time to see the accession of James II., and from this event he might reasonably have expected to derive some support to his rights and interests. He professed the same religion with the new monarch, and might thence have hoped to find some sympathy in the bosom of the king: but the religion of James II. and Charles Calvert had no resemblance save in name. That of the one was an intolerance so bigoted that it discarded benevolence, and so stupid that it lost a kingdom: that of the other was a charity so comprehensive that it sought the good of all, and so wise that it won the almost undivided affection of a province. The hostility of James to the chartered rights of Lord Baltimore was greater, if possible, than had been that of Charles: indeed he looked with but little kindness on the chartered liberties of any of the colonies on this continent, and in the case of Maryland, his attack was made the more violent

by the instigation of a Jesuit, called Father Peters.¹ The nature of the influence which the priest had acquired over the king, and the cause of that hostility which he sought to infuse into his majesty, are alike unknown; but it is certain that this Jesuit was the principal instrument in seeking to deprive his lordship of his government.² In April, 1687, the writ of *quo warranto*, that instrument which so often, in the hands of England's kings, proved fatal to the chartered rights of the colonies in America, was issued against Maryland: but the judgment which, under ordinary circumstances, was so sure to follow the writ, was, in this instance, averted by that judgment which an indignant people pronounced upon the king. The abdication of James was all that then saved the charter of Maryland from the arbitrary power of the crown. It was saved, however, but for a time; William of Orange came to the throne, and Lord Baltimore, loyal even to a worthless monarch who had meditated the deepest injury to his rights, strenuously opposed the revolution which conferred the crown on William. That loyalty was, in due time, remembered, but it was only to be punished.

The cry of no popery, as we have stated, had

¹ 1 British Empire in America, 331.

² Ibid. 331.

long ere this, become common with one part of the population of Maryland; it had, to say the least, not been diminished during the reign of James; though a very considerable number of the inhabitants, from their religious opinions, hailed with joy the accession of James, so that, at this period, the line may be considered as having been fairly drawn between the Roman Catholics and protestants. The liberal spirit of the laws had, however, served to repress, in some degree, the bitterness of religious contention, and the prudent administration of the proprietary had preserved comparative tranquillity. But no sooner did the news of the revolution in England reach Maryland, than the combustible materials, which had long been collecting, and waited only for a spark, blazed out into insurrection. When the government of Maryland, (the proprietary was then absent,) heard, in January 1689, of the purposed invasion of England by the Dutch, uncertain, as indeed were even those most trusted at home, of the precise object intended, they thought it prudent to put the province in a posture of defence, and this was the first link in that chain of *immediate* causes which produced the "protestant revolution."

The writers of Maryland history, have sought in vain to discover the remote, as well as proximate causes of that revolution. From November

1688, to the beginning of 1692, there is a chasm in the records of the province;¹ there are facts connected with the change of government, which have been preserved; but by what process the minds of a majority of the inhabitants had been brought to acquiesce, as they seem to have done, in the propriety of the revolution, is altogether unknown. As has been remarked by the historian, at the commencement of the interval mentioned above, all was quiet, and the people were dwelling apparently in security and happiness, under the government of the proprietary. No seeds of a revolution for the support of the protestant religion are to be found, unless it be in the representations to the Archbishop of Canterbury, in those to the king, and in the suppressed revolt of Fendal and Coode, of which we have spoken. It is indeed true, that at this time, from the testimony of an eye witness) "there were thirty protestants to one papist in the province?" but we learn also from the same source that between them "there was no quarrel."² All was harmony. This is the last glimpse we have, of the condition of religious affairs, upon the departure of the proprietary for England. In 1692, as if by magic, another and very different scene opens upon us.

¹ McMahon, 229.

² Chalmer's, Note, 24. p. 376.

The government of the proprietary, is at an end, and the colony is ruled by officers of the crown ; while the legislature is returning thanks for the royal protection, and for release “from the arbitrary will, and pleasure of a tyrannical popish government.”¹ In the interval between these very different spectacles, an association of individuals had wrought out the revolution, but no record of their proceedings is to be found.

It is not credible that any very serious opposition was made to the change, by a respectable part of the protestant population ; for tradition would at least have preserved some memory of the strife. Did then the Roman Catholics, who, though a minority, were yet possessed of influence, concur in the change ? If they did, it is to be explained in one of two modes : either, resistance was seen to be hopeless, and they therefore acquiesced in what they could not prevent ; or they participated with their protestant fellow citizens, in the fears which were not unfounded, of the loss of all colonial liberty, under the oppressive measures of king James. They had long lived in harmony with the protestants, under the benignant influence of mutual toleration ; and they might, without any violation of principle, have preferred colonial liberty, with tole-

¹ McMahon, 229. 230.

ration, to the establishment even of their own faith, accompanied with the loss of their best colonial rights.¹ But the Roman Catholics never could have contemplated an attack upon the *proprietary*, even had they been favourable to the cause of the revolution; and as such an attack was made at an early period, the first branch of the alternative, just presented, offers probably the true view of their conduct.

Of the revolution itself, we have already said, that putting the province in a state of defence, when the news arrived of the intended invasion of England, by the Dutch, was the immediate cause of the insurrection. There was a lamentable want of discretion in those, who then administered the government for Lord Baltimore. They began to collect the public arms, and persons were apprehended upon a charge of having disseminated rumours, likely to disturb the public peace. The deputy governors thus produced the very evils which they professed to correct. It was not a time to give importance to rumours, by official notice. The people suspected design, in the mere attempt at suppression, and rumour was thereby, only made the more busy. Accordingly a report was circulated, and soon spread through the colony, "that a popish administration, supported by papists,

¹ See McMahon, 234.

had leagued with the Indians, to cut off the whole of the protestants in the province.”¹ Nay, reaching beyond Maryland, it had found its way into Virginia, and as we have seen, had thrown that colony also into consternation.² Unfortunately a coincidence of other circumstances, served to confirm the suspicions of the people of Maryland. A treaty with certain Indian tribes was renewed at this time; the other colonies had all proclaimed William and Mary, but the order of the proprietor to his deputies, to do the same thing in his province, though transmitted some time before, had unfortunately not been received, and the protestant King and Queen had therefore not been formally acknowledged. These circumstances only increased apprehension in Maryland. Accordingly in April 1689, was formed “an association in arms, for the defence of the protestant religion, and for asserting the rights of King William and Queen Mary to that province, and all the English dominions:” and at its head, was placed John Coode, who has been already introduced to our notice as the associate of Fendall in a rebellion.

If the merits of a cause, were always to be determined by the character of its leader, we should be at no loss in pronouncing unqualified condem-

¹ Chalmer's, 373.

² Narrative of the progress of the Church in Virginia, p. 72.

nation, of the protestant revolution : for it would be difficult to find more unprincipled profligacy than was exhibited by John Coode. As we shall have but little occasion to advert to him hereafter, we will here sketch his career, though we thereby anticipate events to which the order of time has not yet brought us.

Though leader among the protestant associators, he appears to have wanted that share of their respect which his ability might have inspired, because he had not that confidence of his fellow men which virtue only can secure : it is an indirect testimony to their own purity, that the associators would not trust John Coode. In the distribution of those rewards, which a successful revolution had placed at the disposal of the “associates in arms,” the chief leader was in a great measure overlooked. When we next meet with him, *he is in holy orders*, affording a striking illustration of the facility, with which, in that day, vice that deserved a prison, could figure in these unfortunate colonies, clad in the robes of a priest. By whom recommended, or by whom ordained, we know not : it happened in the times when too many thought that any one would suffice to serve the Church in America ; and when a willingness on the part of an English clergyman to come to the American plantations, was not unfrequently viewed as presumptive evidence against his character. To the functions

which belonged to his office, Coode paid no regard; for he was lieutenant colonel of the militia of St. Mary's county, and receiver of the duties in Potomac river, and employed the intervals saved from these official cares, in asserting that religion was all a trick, in reviling the apostles, denying the divine authority of christianity, and alleging that the writings of Cicero contained all the morals worth having. The people however, were better than their priest, and his blasphemous expressions were reported to the governor and council, by whom he was forthwith dismissed from all his offices, and the grand jury of St. Mary's presented him for *atheism* and *blasphemy*. He fled to Virginia, and put the governor of Maryland at defiance. At length the governor, Sir Francis Nicholson, having been transferred to Virginia, Coode returned to the province in 1699, and was taken into custody. He was tried on the indictments, which had been found against him and *convicted*: "age and affliction, or both, seem to have mended his manners, and tamed his insurrectionary spirit;" and therefore sentence was suspended in hopes of his reformation, and we hear no more of him.¹

When Coode headed the associators, the deputy

¹ McMahon, 238.

governors endeavoured to make resistance ; it must however have been but feeble, as we find them at the expiration of four months from the time the association was formed, surrendering the garrison to which they had retreated, and yielding up the colony without further struggle to the successful revolutionists.¹

A convention was immediately summoned, by a warrant, issued in the names "of the several commanders, officers and gentlemen, associated in arms, for the defence of the protestant religion ;" and this body transmitted to the King an exposition of their motives and ends, to which we must now direct our attention, at least so far as they concern matters of religion. They alleged that "the Churches, which by the charter should be consecrated, according to the ecclesiastical laws of England, were converted to the use of popish idolatry ;" that another grievance was, the "seizing protestants in their houses with armed papists, and detaining them long without trial ;" another was in these words "private murders and public outrages committed by papists upon protestants without redress ; but are connived at by men in chief authority, who are governed by Jesuits, and who are our chief judges and officers civil and

¹ Chalmer's, 374—McMahon, 237.

military.”¹ These form three of the twelve allegations, set forth in “the declaration of the motives, for the present appearing in arms of their majesty’s protestant subjects in Maryland;” and former historians have considered the complaints as all groundless. They rely upon the alleged fact, that in a list of grievances, exhibited by the lower house of assembly but a short time before, no complaint was made of the malpractices and oppressions here detailed; and it is supposed, that having taken an irrevocable step, no alternative was left to them, but that of finding reasons which would justify it.²

It is right that justice should be done on both sides. It will not be believed by reflecting men that such a revolution as we have been considering, could have been effected without some cause for it; and that there were *grievances*, is proved, both by the “articles” furnished to the assembly, and by the subsequent “declaration of motives,” which is supposed to differ so widely from it. The articles are eight in number, and four only of them set forth grievances of a general and permanent nature; the residue concern rather particular statutes, and complain of evils which seem to be of a local, or temporary character: and it is wor-

¹ Chalmer’s, 382.

² Chalmer’s, 383. McMahon, 240.

thy of note, that the "declaration of motives," does contain the four grievances alluded to above. It is true, that it contains also eight more, of which four relate to evils which the complainants state had but recently grown up, and which could not be enumerated in the "articles," presented to the assembly, because they were of later date than that instrument. Of the remaining four, it is not to be inferred with certainty that they were mere fabrications, simply because they are not in the list of grievances submitted to the assembly ; for it must be remembered that nearly one year elapsed between the dates of the two instruments, and in that year the grievances may have been, for the first time, seriously felt. This conjecture derives probability from the fact, that, during that year, Lord Baltimore was not in the colony, and the complaints in the declaration are, of "plots and insinuations carried on by *Lord Baltimore's officers* here."

It is not to be doubted that the revolutionists made for themselves a statement quite as strong as they could : and possibly, in the moment of excitement, they may have made it stronger than the facts would justify ; but it is utterly incredible, that in a formal document, setting forth twelve distinct *facts* as furnishing motives to a certain course of conduct, not one of the facts should have an existence. And it is not the less incredi-

ble, when the very first sentence of their document boldly appeals to the public knowledge of these very facts. It is a gratification to be able to add, that however just may have been all, or any of these complaints, yet they affect not the character of Charles Calvert; he had been absent from the province ever since the accession of James II.; and it is not improbable that, had he been ruling in person in Maryland, the list of grievances and declaration of motives would have been alike unheard of. It was his misfortune to be represented by men whom we know to have been indiscreet, and who, in representing the authority, did not represent the virtues and the wisdom of Charles Calvert.

King William had not forgotten the opposition of Lord Baltimore to the Prince of Orange, and therefore was easily induced to uphold the acts of the associators. He sanctioned the revolution because it was his interest that the protestants should possess the powers of government, and he therefore left the province under the dominion of the convention. That body assembled in 1689, and again in 1690, but at neither of these sessions was any attempt made permanently to organize the government. The convention had, from the first, thrown themselves upon the immediate protection of the crown, expressing their readiness to be ruled by the king's will, and soliciting him to assume the government of the province. In

June, 1691, he complied with their wishes, and gratified his own, by establishing for Maryland a royal government, at the head of which he placed Sir Lionel Copley, who arrived early in 1692, and dissolved the convention, and thus, for a time, terminated the sway of the Barons of Baltimore.

CHAPTER III.

First Assembly—Recognition of William and Mary—Act to establish the Protestant religion—Division of the province into parishes—Small number of the clergy—Majority of the people Protestants—Large size of the parishes—Sir Edmund Andros, governor—Sir Francis Nicholson succeeds him, in 1694—His character—Wandering preachers from New England—Exertions of the governor to establish the Church—"Forty per poll law"—its effects—Increase of Roman Catholics by importations from Ireland—Application to the Bishop of London for a Commissary—Efforts in the cause of education—Free schools—Dr. Bray made Commissary—His zeal and labours—Establishes thirty-nine parochial libraries in America—Procures many missionaries—Opposition of Roman Catholics and Quakers to the Maryland Church—Difficulties in procuring a law for the establishment of the Protestant Church in the province—Agency of Dr. Bray in founding "*the Society for promoting Christian knowledge*," and "*the Society for propagating the gospel in foreign parts*."

[1692.]

THE first step taken by the new governor was to convene an assembly, to which he recommended the virtue of moderation, so rarely attendant upon signal success. The legislature made a suitable response, and in a most loyal address to their majesties, thanked them for "deliverance from the arbitrary will and pleasure of a tyrannical popish government, under which they had so long groaned." The first act which was passed, was a recognition of the royal authority of William and

Mary ; and the second was “an act for the service of Almighty God, and the establishment of the protestant religion” in the province. This law declared that the Church of England should have and enjoy all her rights, liberties, and franchises, wholly inviolable, as they then were, or thereafter should be established by law ; that the several counties should be laid out into parishes, and that a record of the metes and bounds thereof should be deposited with the several county courts, and also with the governor and council ; that the freeholders of each parish should meet and appoint six vestrymen ; that a tax of forty pounds of tobacco per poll should be laid on each taxable person in the province, and that the sheriffs should collect the same ; that from the proceeds of this tax, the vestries of the several parishes, in which there were no churches already built, should forthwith cause houses of worship to be erected, after which the tax was to be applied to the support of the minister ; but if no minister had been inducted, then to be applied by the vestrymen to the necessary repairs of the churches, or other pious uses in their discretion. The vestries were also made bodies corporate, to receive and hold property, and it was provided also, probably to secure perpetuity to the system adopted, that each vestry should have power to fill all vacancies occurring

in it.¹ Under this act, the ten counties of the province were divided into thirty-one parishes, as follows:—The county of *St. Mary's* contained the parishes of William & Mary, and King & Queen: *Calvert* was divided into Christ Church, All Saints, St. Paul's, and All Faiths: *Charles* was divided into William & Mary, Port Tobacco, Nanjemoy and Piscataway: in *Anne Arundell*, were Herring Creek, South River, Middle Neck, and Broad Neck: *Baltimore* county embraced St. Paul's, St. Andrew's, St. George's and St. John's: *Cecil* contained South Sassafras and North Sassafras: *Kent* included Kent Island and St. Paul's: in *Talbot* were St. Peter's, St. Michael's and St. Paul's: *Dorchester* contained Great Choptank and Dorchester, and *Somerset* was divided into Somerset, Coventry, Stepney and Snow Hill parishes.² At the time this division was made, it is certain that there were not clergymen enough to supply the newly erected parishes. It is stated by one writer, on what authority is unknown, that there were sixteen ministers of the Church of England in Maryland, when the protestant religion was established.³ It is doubtful

¹ Bacon's Laws of Maryland, 1692. Ch. II.

² Return made to governor and council—Maryland MSS.: from archives at Fulham.

³ Griffith's Sketches of the Early History of Maryland, p. 36.

whether the number was so great ; for, in a memorial of the Maryland clergy, addressed to the Bishop of London, it is said that, in 1694, the whole number of clergymen in Episcopal orders was but *three* ;¹ there is reason to think that the truth lies between the two statements. At any rate, it is certain that there was not a sufficiency of ministers for the parishes, and that, therefore, encouragement was held out to induce clergymen to emigrate.² The population of the province, at this time, was but little more than twenty-five thousand, of whom much the larger number were protestants ;³ and in some parts of the country, even before the establishment of parishes, it is known that the members of the Church of England were in the habit of assembling for worship at such places as were most convenient ; and of endeavouring to effect among themselves an organization which, though imperfect, would secure to them such an enjoyment of their religious usages and opinions as circumstances would permit.⁴ Had there been in Maryland a clergyman for each parish, erected under the law of 1692, it is questionable whether, even then, the

¹ Maryland MSS. : from archives at Fulham.

² Griffith's Annals, 8.

³ McMahon, 244.

⁴ Griffith's Annals, 9.

religious instruction of the members of the Church would have been sufficiently provided for. The parishes here, as in Virginia, were too large, often extending from twenty to thirty miles in length, thus rendering attendance upon worship exceedingly difficult, and pastoral visitation almost impossible.¹

The administration of Sir Lionel Copley was but of short continuance, during which he appears to have retained the affection and confidence of the people. His efforts were principally directed to the establishment of the new government upon its protestant foundation; and, on his demise, he was followed by Sir Edmund Andros, who was then governor of Virginia, and who exercised the authority of governor in Maryland for a short time after the death of Copley, because Sir Francis Nicholson who, by his commission as lieutenant-governor of Maryland, was entitled, upon that event, to rule the province, chanced to be in England when Copley died. Sir Francis arrived in July, 1694, and entered upon his duties, finding the province substantially in the condition in which it was left at the death of Sir Lionel Copley.

Under the administration of the new governor, the Church received an impulse which, in its

¹ Maryland MSS. : from archives at Fulham.

infant condition, was all important. Sir Francis Nicholson, whose name is identified with the early history of more than one of the colonies, (for he was governor or lieutenant-governor in several,) appears to have been, if not always the most consistent Christian, yet one of the most liberal and efficient supporters of the Church. The letters of the missionaries from all the colonies over which he ruled, uniformly represent him as most active in promoting the interests of the Church of England on the continent. His own letters, to a large number of which we have access, manifest a solicitude on the subject far surpassing that of any other of the royal governors. His purse and his pen were alike employed in the cause. He contributed to the erection of more Episcopal houses of worship in the colonies than all the other governors combined: not less than thirty, scattered over various parts of this country, owed their existence, in a great degree, to him. He had, however, many enemies who were ready to blazon his faults and expose the infirmities of his character; so that there is perhaps no individual of our early history, concerning whom more contradictory statements may be found in the correspondence of his day. His prominent trait was energy of character: to this he added more than ordinary intelligence, with great quickness of temper. Generous as a man, he was sometimes arbitrary as a

ruler; unduly tenacious, in some cases, of his dignity, his vanity drove him into the littleness of tyranny. When the storm of passion subsided, he would acknowledge and lament his faults, but had not always the moral strength to avoid their repetition. Strong in his friendship, he was no less strong in his dislike while it lasted; and then he stopped not to study the courtliness of gentle phraseology in denouncing men or measures that he condemned. In manner, when not excited, there was the refinement and courtesy of a polished gentleman; and in the calm exercise of his really fine mind, he could justly appreciate the circumstances of the times, and shape his course with statesman-like wisdom. The devoted supporter of the power of Church and State, he yet, whenever he chose, made himself one of the most popular of men among the common people of the provinces over which he ruled. If, in the contemplation of his character, it is impossible not to feel that he had many faults; it is equally impossible not to admire his many redeeming virtues.

Such was the individual who, in 1694, took under his protection the Church of Maryland. When he came to the province, says a writer of that day, "there were scarcely any protestant ministers" in it. "Now and then an itinerant preacher came over of very loose morals and scandalous behaviour, so that what with such men's ill ex-

amples, the Roman priests' cunning, and the quakers' bigotry, religion was in a manner turned out of doors.¹ From a representation of the clergy to the Bishop of London, it would seem that the governor found but *three* clergymen on his arrival; and they, it is added, had been enabled to remain, only because they were possessed of property to support them: these three had to contend with double their number of priests belonging to the Church of Rome. "There was also," (says the same letter), "a sort of wandering pretenders to preaching, that came from New England and other places; which deluded not only the protestant dissenters from our Church, but many of the Churchmen themselves, by their extemporary prayers and preachments, for which they were admitted by the people, and got money of them."²

Several clergymen appear to have accompanied the governor, and with their assistance he very soon commenced his work. Nothing had been done by Sir Lionel Copley under the act for establishing the Church. The governor immediately caused the arrears in the hands of sheriffs and vestrymen, which had been collected under the law for the establishment, to be applied to the

¹ British Empire in America, Vol. I. 333.

² Maryland MSS.: from archives of Fulham.

erection of Churches in the parishes, and very soon settled eight clergymen in them.¹ These were in the counties of St. Mary's, Calvert, Charles, Cecil and Talbot. The city of Annapolis which was now made the capital, was an especial object of interest to the governor, and here he commenced forthwith the erection of the only brick church of which Maryland could then boast.²

The chief, and indeed almost only opponents of the Church were the Roman Catholics and Quakers; for the presbyterians were few in number, and exhibited no acts of hostility. The statements of the clergy of the establishment represent the Romanists as the most dangerous enemies because they were secret: the Quakers were more open in the expression of their dislike, and, strange as may seem the coalition, were ready to aid the Roman Catholics, by whom they were used as convenient agents in diffusing a spirit of opposition to the new arrangement of matters ecclesiastical. It would seem that the members of the Church of Rome industriously circulated a rumour, that the province was about to be restored to Lord Baltimore, by the Crown; and the hope of this event gave vigour to the opposition. The

¹ Maryland MSS.: from archives at Fulham.

² 1 British Empire in America, 333.

priests of that communion too, introducing themselves into such protestant families, as were without a parish minister, sought by attention and kindness to the sick within them, the more readily to persuade them to abandon the protestant faith. The Quakers, on their part, sent a deputation to England, and petitioned the committee of trade and plantations for the removal of the forty pounds of tobacco per poll, as being a heavy tax on their estates, and a burden upon their consciences ; while the great body of them, at home, urged the same request upon the governor and assembly by means of a humble petition and remonstrance.

Sir Francis Nicholson was too vigilant to overlook events of this nature. The petition to the assembly was, chiefly by means of his influence promptly rejected ; and he issued orders to the several sheriffs, forthwith to make to him an exact return of all popish chapels and priests, together with all quaker meeting houses, throughout the whole province.¹ The effort in England was met by a general remonstrance from the clergy of the Maryland establishment, and the unfortunate Quakers found as little sympathy abroad as they experienced at home.

¹ Maryland MSS. : from archives at Fulham.

If the "forty per poll law" (so it was termed) brought, as it certainly did, grievances upon the Roman Catholics and Quakers which were hard to bear; they might have derived satisfaction from the discovery, that it failed also to confer upon the favoured clergy of the establishment, all the benefits which, at first view, it seemed to promise. The planters did indeed pay to the sheriff's the quantity in weight, which the law required; but the quality of the tobacco was such that a pound of it was worth but one fourth the value of a pound of that which the planters reserved for the market; and the merchants were unwilling to purchase it, as it yielded but a small return on its sale, and was also not always ready for delivery, at the proper time for shipment. The clergy themselves could not become the exporters, and therefore it was worth to them, on some occasions, little or nothing.¹ The largest amount of tithables in any of the parishes erected at the establishment, was such as would yield, in reality, to the clergyman but twenty five pounds; though the law contemplated a living worth one hundred, and such was nominally its value:¹ and in many instances the clergyman's tobacco income was but sufficient to provide him with his clothing.²

¹ Maryland MSS.: from archives of Fulham.

² Ibid.

An increase in the Roman Catholic population by the introduction of a large number of Irish emigrants, and the fear that Lord Baltimore would be restored to his government, added to the narrow incomes of the clergy tended greatly to dishearten them; and they very naturally concluded, they would derive strength from the presence of an ecclesiastical superior. Representing therefore to Dr. Compton, the Bishop of London, the critical state of affairs, they earnestly implored him to send, without delay, some one invested with so much of the authority of the diocesan, as would "capacitate him to redress what is amiss, and supply what is wanting in the Church."¹ The necessity of such an officer was obvious to the governor and assembly, as well as to the clergy; for in order to provide for the support of a "superintendent, commissary, or suffragan," they unanimously agreed in a petitionary act to the King and Queen to annex forever the judicial office of commissary, which before was in the disposal of the governor, to that which was purely ecclesiastical, and at the appointment of the Bishop of London.²

Another subject to which the attention of the

¹ Maryland MSS. : from archives at Fulham.

² The life and designs of the Rev. Dr. Bray, p. 5. Bacon's Laws of Maryland—1696, Ch. XIX.

legislature had been drawn by Sir Francis Nicholson, was the education of the province. He had too much intelligence not to appreciate its importance, and too much zeal not to exert himself in its behalf. Accordingly, one of the first acts of his administration had been the passage of a law establishing free schools. The college of William and Mary in Virginia had been founded,¹ and the governor, wisely remembering that the primary education of schools could alone make the higher institution of any value, determined to fill Maryland if possible, with seminaries which should serve as fountains of supply to the college. As the former law was defective, the governor therefore now caused "a petitionary act" (for the legislation of that day all appears to be in the form of a request to the King,) to be presented by the assembly to the crown, in which provision was made for the founding and establishing a *free school* in every county in the province.²

The Bishop of London hearkened readily to the request for a commissary, and his attention having been drawn to the merits of Dr. Thomas Bray, by the appearance of a course of catechetical lectures from his pen; such, upon inquiry, proved to be his character for enlightened zeal and

¹ Narrative of the Church in Virginia, p. 76.

² Bacon's Laws of Maryland, 1696, Ch. XVII.

piety, that the Bishop tendered the office of commissary to him. A more judicious choice could scarcely have been made, as the reader will perceive from the facts recorded on our future pages. Dr. Bray was born at Marston, in Shropshire, in 1656, and received his education at Oxford, though his slender finances compelled him to leave the University soon after he had commenced Bachelor of Arts. For such preferment as he found in the Church of England, he appears to have been indebted chiefly to his own worth. When Dr. Compton proposed to him to become the commissary in Maryland, Dr. Bray exhibited a spirit of self-denial, which, though not confined to himself, was, it must be confessed, a rare spectacle in his day. His removal to Maryland would, he knew, involve many pecuniary and personal sacrifices, and take him to a most disheartening and unpopular field of labour; but, upon inquiring into the condition of the Church in the plantations, their poverty, which discouraged so many from coming to their relief, produced the gentler feeling of pity in Dr. Bray, and he consented to the proposal of Bishop Compton. With an ardour, which seems to have formed one of the strong traits in his character, he immediately directed his whole attention to a consideration of the best means of accomplishing the great object he had in view. He was well aware that more clergymen were es-

sential, and that none but the more indigent of that class were likely to forego the comforts of friends and home, for the labours of a missionary in the colonies. His hopes, therefore, rested upon the poorer clergy; but they, as he remembered, would want books to qualify them for the proper ends of such a mission; and the possession of a small library might also operate as a temptation to some to embark in his plans. To the bishops of the Church of England, he therefore applied for assistance and encouragement in procuring proper parochial libraries for the missionaries in America. His application was not in vain, and such was the encouragement he met with, that, ere he closed his labours and his life, he had succeeded in establishing, within the present limits of the United States, no less than thirty-nine parochial libraries, some of which contained more than a thousand volumes. Let it be remembered with gratitude, at least by the American Churchman, that in this great work he expended not merely time and labour, but more money than any other individual who can be named. He gave nearly all his earnings to the advancement of religion and the Church, in these colonies. It may sometimes even yet fall to the lot of the American Episcopalian to meet, in some secluded spot of our country, with a volume which once formed part of one of Dr. Bray's parochial libraries; (for alas! the

lapse of time and the casualties of the war of independence have scattered the most of them,) and should it be so, let the sight of the antiquated volume serve, for the time, in place of a more enduring monument to the memory of one of the best benefactors that the Episcopal Church in America ever had. Who can tell how much the faith and piety of our forefathers may have been indebted to the presence of these libraries, extending, as they did, from Massachusetts to the southern boundary of the Carolinas? Who can say how far these books contributed to the correct understanding and faithful preservation of those peculiarities of our religious system, both as to belief and practice, which, held in the sincerity of honest hearts, and with no unkindness toward others, we cannot, as Episcopalians, conscientiously relinquish?

In the prosecution of the ungrateful office of soliciting help for the poor Church in the plantations, it was the lot of Dr. Bray to meet with many a hard rebuff; and it is curious to remark, that the lapse of so many years has supplied no new reason for refusing aid to a distant object of benevolence. His application was often met with the answer, that "there were poor cures and poor clergymen enough in England, and that charity should begin at home."¹ Happy is it for the

¹ Life and designs of Rev. Dr. Bray, p. 17.

Protestant Episcopal Church in the United States, that such was not the universal answer: had it been, we had probably, at this day, been without a story to tell of past trials and present prospects. Our good commissary, though thus repulsed, yet resolved to turn the alleged cause of refusal to the best account, and therefore, heartily assenting to the proposition, that England had many poor cures and poor clergymen, he forthwith projected the plan of "lending libraries" throughout the kingdom for their supply; and thus afforded to this class of objectors an opportunity of exercising the Christian duty of beneficence to the Church, in a mode with which they, at least, could not quarrel, as it had been of their own selection.

Having succeeded in procuring libraries for the American missionaries, his next object was to find the missionaries. In this work he acted under the direction of the Bishop of London, and such was his success, that he sent over to different parts, the most useful and faithful men whom the infant Church had, and was able to increase the number of the Maryland clergy to sixteen.¹ But it must not be supposed that he accomplished this without difficulty; he travelled, and preached, and wrote

¹ For the leading facts in this sketch of Dr. Bray, see "The Life and designs of the Rev Dr Bray," and "Biographia Britannica," *verbo*, Bray.

on the subject so near his heart with a zeal which few men would have exhibited. In one of his publications, pleading the wants of the colonies, he remarks that but for the support of some, (who appreciated the man,) "the expense as well as fatigue had been insupportable. But as what has been hitherto done, (says he,) does but let me into the view of so much more which is still wanting to propagate and maintain Christianity in those parts; if any effort of mine shall contribute any thing to promote the design, I shall obtain an end, to accomplish which I could be content to sacrifice my life, with the remainder of my small fortunes."¹

The labours of Dr. Bray, to which we have adverted, kept him in England about four years after Bishop Compton had appointed him the commissary; and to these labours, the care of another important matter was added, for the history of which we must now go back to the doings of the Church in Maryland. We have seen that the first law for the establishment of the protestant religion in the province was made in 1692; in 1694, an additional act was made on the subject, and again, another in 1695, by which both the former were repealed, and a new law was substi-

¹ Introduction to Dr. Bray's "Apostolic Charity Considered," pp. 9, 10.

stituted.¹ The violent opposition of the Roman Catholics and Quakers probably indicated the necessity of these changes, to give greater stability to the new system. In 1696 an entirely new law was made for the establishment, by which all former enactments were annulled. This law contained a clause in the following words: "That the Church of England within this province, shall enjoy all and singular, her rights, privileges and freedoms, as it is now, or shall be at any time hereafter, established by law in the kingdom of England: and that his majesty's subjects of this province shall enjoy all their rights and liberties, according to the laws and statutes of the kingdom of England, in all matters and causes where the laws of this province are silent." The enemies of the Church were too watchful to permit the opportunity of attack which this law afforded, to pass unimproved. All enactments required the assent of the reigning powers at home, and it had before happened that one of the former laws for an establishment had been disapproved by the king, accompanied, however, by an expression of regret, and an intimation of his willingness to sanction any proper law on the subject. The Roman Catholics, who, for the most part, acted

¹ Bacon's Laws of Maryland, 1696. Ch. I.

through the medium of the Quakers,¹ saw that, from the language of the law, there was ground to hope for a second expression of royal disapprobation; and they took care that an agent should be on the spot to make their opposition effectual. The act of 1696 was sent by the assembly to the lord commissioners of trade, together with an humble address, to be presented to his majesty, praying for his confirmation of the law. By the dexterous management of the Quakers of London, as it was supposed, the petition to the king was never presented; and at a meeting of the council, in the latter part of the year 1699, when both the spiritual lords belonging to it were absent, an order was made annulling the proposed law,² and assigning as a reason for so doing, that "therein is a clause declaring all the laws of England to be in force in Maryland; which clause is of another nature than that which is set forth by the title in the said law."³ And to add to the bitterness of that mortification which the order itself produced, the Churchmen of Maryland felt that there was something like insult in sending it to

¹ Maryland MSS. A memorial representing the case of the Church in Maryland. From the records of the Venerable Society.

² Ibid.

³ Bacon's Laws, 1696 : Ch. xviii.

them by the hands of a Quaker, one of the agents of Mr. Penn.¹

Upon this second failure, it was deemed expedient by his superiors, that Dr. Bray, who had remained in England to aid as far as he could in procuring the royal assent to the law, should hasten over to Maryland by the earliest opportunity. It was supposed that his presence would procure the passage, by the assembly, of such an act as the King would sanction, and it was hoped that he would be able also to counteract the disheartening effect produced upon the members of the Church in Maryland, by such repeated disappointments. There was a circumstance also, which, though at the time unknown to the Bishop of London and Dr. Bray, rendered the voyage of the latter peculiarly opportune. He sailed in the same ship with the Quaker who bore the order in council which it was hoped, by some, was to prostrate the infant Church. Upon their arrival, the triumph of the enemies of the establishment bore something of the character of insult, and the consequence was that the disheartening influence of disappointment yielded to a sense of indignation. The Churchmen of Maryland felt convinced that they had been defeated by a contrivance, and the

¹ Maryland MSS. Memorial representing the case of the Church in Maryland. From the records of the Venerable Society.

arrival of the commissary animated them to a renewed effort to vanquish their enemies, by once more attempting the legal establishment of the Church.¹ The wishes of his superiors that he should at once enter upon his field of labour was in entire accordance with the desires of the commissary : he had done all that he well could do in England, in procuring libraries and missionaries which had been sent before him ; and his own anxious wish to be in Maryland had been communicated to the clergy of the province in a letter written by him some months previous. Before recording however his departure from his native land, there is one incident of his laborious life, which led ultimately to results so very important to the whole American Church, that it would be unpardonable to pass it by. It was in the year 1697, while Dr. Bray was soliciting aid for the Church in Maryland, that a bill was introduced into parliament to alienate certain lands which had been given to superstitious uses, and to vest them in Greenwich hospital : it at once occurred to the mind of the commissary that some share of these lands might well be appropriated to further the cause of religion in the plantations, and he accordingly preferred a petition to the house of Commons to accomplish that end.

¹ Life and designs of Dr. Bray, p. 28.

His petition was favourably received, but, from some cause or other, the bill was never reported. Finding his hopes here disappointed, in 1698, he made a direct application to the King in a petition to his majesty for a grant of certain arrears of taxes due to the crown; and in the prosecution of this application, he was under the necessity, at his own expense of going over to Holland, where the King then was, to have the grant perfected. These taxes unfortunately proved to be of very little value. Not disheartened by this second failure, the grand idea of a protestant congregation or society *pro fide propaganda*, to extend over the whole kingdom and to be chartered by the crown, which he had laid before the Bishop of London upon the failure of his first effort, now took complete possession of his mind; and early in the year 1699 a few individuals of eminent piety, of whom Dr. Bray was one, began to meet, in a voluntary association, to advance the knowledge and practice of true religion, by such means as they could command: others soon joined them and their numbers gradually increased until from this small beginning grew those two noble institutions of the Church of England, "THE SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE;" and "THE SOCIETY FOR PROPAGATING THE GOSPEL IN FOREIGN PARTS." To this latter institution particularly, the American Episcopal Church owes a

debt of grateful affection, not likely soon to be forgotten. When that society is asked what it has done, it may point to the Protestant Episcopal Church in the United States and say; ‘there is our visible memorial—there is one chapter in our history,’ and let not the remark be deemed either arrogant or invidious, that the missionary society which can point to such a trophy of successful labour, is not to be ranked second to any missionary institution in Christendom.

CHAPTER IV.

Disinterested conduct of Dr. Bray—his arrival and reception in Maryland—First meeting of the clergy and first visitation of the commissary—Proceedings of the assembly for the establishment of the Church—Opposition of the dissenters—Grounds of their objection—Value of Dr. Bray's services—Convocation of the clergy—Commissary's charge—Case of discipline—First missionary effort made by the Protestant Episcopal Church in America—Dr. Bray's return to England—cause thereof—finds the Maryland Church in danger from an alliance between Roman Catholics and Quakers—prints a memorial—difficulties in procuring the royal assent to the law for the establishment—Assent at length obtained—Dr. Bray's generosity—State of the Church of Maryland at the time of final establishment—Commissary's representation of the need of proper persons as missionaries—his plan for supplying them—Substance of the law establishing the Church—Toleration of dissenters—Refused to Romanists—Not the fault of the Maryland legislature, but of the authority in England—Inconsistency and injustice of this treatment of the Roman Catholics.

[1700.]

BEFORE proceeding to record the labours of Dr. Bray after his arrival in Maryland, two circumstances claim our attention, because they forcibly illustrate the disinterestedness of his nature. During the four years, in which, as we have seen, he was employed in England for the benefit of the colonial Churches, he lived at his own expense; it is true that when the office was proposed to him

by Bishop Compton, he was informed that the judicial office of commissary, which had before been in the governor, should thereafter be vested in him, and it was represented as being worth £400. This sum was less than the income which he might reasonably have expected from his labours at home ; but he disregarded his own interest and accepted the office ; though it could yield him nothing until his arrival in Maryland. Under such circumstances, it had not been strange or censurable, had he availed himself of any preferment offered him in England, and abandoned entirely his design of visiting Maryland : but when such preferment was tendered, *he refused it*, though it promised to be much more valuable than the office of commissary : finally, without having an allowance made even to defray the charges of his voyage, he disposed of his few remaining effects, and resorted to his credit to obtain the means of reaching his field of labour.¹

On the 20th of December, Dr. Bray set sail, and, after a tedious passage, arrived on the 12th of the following March, when he immediately commenced his labours. His first attention was directed to the settlement and maintenance of the parochial clergy ; on this subject he consulted with

¹ Life and designs of Dr. Bray, pp. 6. 21. 22.

the governor whom he found ready to aid him in the re-establishment of the Church. The legislature was to assemble in May, and that he might be prepared with all the information necessary to frame wisely a law for the establishment, the commissary sent to all the clergy on the western shore, (who alone at that season could be convened) that he might learn from them the true disposition of the people on the subject, and gather such hints as would guide him in framing the provisions of the contemplated law. Having accomplished this work, he commenced next a visitation, and through his whole progress, met with great respect from much the larger part of the community. The result of his inquiries and observation was, that the Church of England had strong hold on the affections of a large majority of the people. This indeed might have been inferred from the fact, that laws for its establishment in the province had been so repeatedly passed with entire unanimity in the legislature; but he now saw that but one twelfth of the whole population professed to be Quakers; a similar proportion were Roman Catholics, while almost the entire residue were of the Church of England, and included many families of the greatest consideration in the country.

When the assembly met, and while the subject of the establishment was under discussion; the

sermons of the commissary were so judicious and satisfactory, that, by a formal vote of the legislature, he received the thanks of that body, and they ordered the attorney general to advise with him in preparing the bill which passed unanimously.¹ By this law it was enacted, "that the book of common prayer and administration of the sacraments, with the rites and ceremonies of the Church, according to the use of the Church of England, the Psalter and Psalms of David, and morning and evening prayer therein contained, be solemnly read, and by all and every minister, or reader in every Church, *or other place of public worship*, within this province." The law continued also the tax of forty pounds of tobacco per poll for the support of the clergy, and prescribed the mode of collecting the same by the sheriff; it regulated marriages; made the vestries bodies corporate to receive and hold property for the Church, and gave them the power to fill vacancies among themselves; declared that every minister who was inducted should be the head of his vestry; provided for keeping parish registers; directed the vestries, when there was no minister, to apply the "forty per poll" to keeping the Churches and churchyards in repair and decent order; forbade

¹ Life and designs of Dr. Bray, 25 56.

any minister to hold more than two parishes, and allowed of such plurality, only with the consent of the vestries of both parishes and of the governor "or other person thereunto authorised," probably meaning thereby the commissary: and permitted, under proper restrictions, the employment of lay readers.¹

It is certainly remarkable that, with the experience of former opposition before them, the framers of this law did not perceive that it furnished to dissenters from the Church, a very strong ground of remonstrance against its approval by the crown. To require the use of the book of common prayer "in every Church, or *other place of public worship*" in the province, was, in effect, to destroy all toleration of dissenters, and to prohibit them from assembling for public worship at all, because they could not follow in it, that mode which they preferred. However, the law passed, as has been related, and the presence of Dr. Bray doubtless contributed greatly to its enactment. Indeed it was supposed by many that, but for his exertions, the end desired would never have been accomplished. There was a serious obstacle in the instruction given to all the colonial governors, that when a law had once been reversed or re-

¹ Maryland MSS.: from archives of Fulham.

jected at home by the king in council, a bill of the same nature should not be passed again by any of the assemblies; and more than one act for the establishment in Maryland had been so reversed. The disheartening effect of former defeats, too, would have prevented the renewal of efforts, but for the encouragement derived from the presence of the commissary. The Quakers and Romanists were not idle spectators, and doubtless enlisted some adherents who professed to be Churchmen, by an appeal to the spirit of parsimony which was willing to escape the payment of the tax for the clergy's support. It seemed, therefore, to be generally conceded that the commissary's arrival was most opportune, and some called it providential, for, had he not come when he did, it was said that the establishment of the Church would scarcely have been attempted, and would certainly not have succeeded.

Soon after the adjournment of the legislature, the commissary summoned all the clergy of the province to a general visitation to be held at Annapolis. Accordingly, on the 23d of May, 1700, they assembled, and from their proceedings, we learn that the whole number of clergymen then in the province, exclusive of the commissary, was seventeen. Of these two were from Talbot county, two from St. Mary's, one from Prince George, one from Charles, two from Calvert, three from

Anne Arundel, one from Somerset, one from Dorchester, one from Kent, one from Cecil, and two whose parishes are unknown. To these the commissary delivered a charge, the several particulars of which came first under their consideration, and embraced the three heads, of catechising, preaching, and private ministerial instruction ; under the second of these, it was resolved that each clergyman would preach to his flock, “a scheme of divinity :” the festivals and fasts of the Church, it was determined should all be duly observed, and the preaching on those days should bring forward the subject appropriate to the season, that the people might be well instructed in the great doctrinal truths of the incarnation, the sufferings and death of Christ, his resurrection and ascension, the divinity and operations of the Holy Ghost, and the doctrine of the Holy Trinity ; and that they might perceive and admire the wisdom of the Church, which had appointed seasons to fix their thoughts on these great truths. The nature and necessity of baptism was also to be a frequent topic in the pulpit, inasmuch as it was sadly neglected throughout the province. Having thus disposed of the charge, another subject of no small moment was brought forward : this was the forming and maintaining, among themselves, a wholesome *discipline*. So many clergymen of profligate lives had found a home in these unfortunate colonies,

and found, too, impunity in crime, from the want of a power able to correct them, that it was a measure of policy, no less than of duty, in those who had some respect for their vows, to bear open testimony against offenders, and to endeavour to restrain them. If it were possible, it was desirable to prevent the ingress of these false priests, and if, unhappily, they found admission, with as little delay as possible to renounce their fellowship and cut them off. It was therefore recommended that, immediately upon the arrival of any ship in the waters of Maryland, the nearest clergyman should make inquiry whether any minister was on board, and if so, what his demeanour had been upon the voyage. This inquiry was to be made, with the view of excluding him from a settlement in any parish if he were of evil report.

The records of this visitation furnish us with evidence that the disposition to exercise necessary discipline was not wanting either in the commissary or his clergy; for we learn from it that but a short time before, the misconduct of one of the Maryland clergy had been so flagrant that, to escape its consequences, he fled to Virginia, whither he was immediately followed by a letter from the commissary and his clergy, addressed to Dr. Blair, the commissary of Virginia, with the view of preventing his settlement in that colony. Happy

had it been for the plantations on this continent, had all been furnished with commissaries as honest and fearless as those of Maryland and Virginia; it would at least have saved the religion and the Church of Christ from some of the scandal which retarded her growth. Another instance of the resolute determination of Dr. Bray to enforce discipline, is also to be found in the proceedings of this visitation. Solemnly addressing himself to one of the clergy then before him; in the presence of his assembled brethren, he charges upon him a crime of which he had been accused, and fixes a time for his trial. In the course of his remarks, setting forth the aggravations of his wickedness, he thus proceeds: "First, that it is done by a person in holy orders,—secondly, by a *missionary* (which, by the way, my brethren, should be a consideration of no small weight with all of us); thirdly, as to time, that this scandal is given at a juncture when our Church here is weakest, and our friends seem to be fewest, and our enemies strongest. And lastly, as to place, it so happens that you are seated in the midst of papists, and I am credibly informed there have been more perversions made to popery since your crime has been the talk of the country, than in all the time it has been an English colony. These considerations, sir, do made it necessary that all possible

expedition which is consistent with common justice, should be made in this affair, so as to acquit you or condemn you.”¹

Another incident which marked the proceedings of this first ecclesiastical legislature of Maryland, is of peculiar interest. It is memorable as having given birth to the *first missionary effort* made by any part of the Church on this continent. It was undertaken too, as a special thank-offering to God for the favour shown to the Maryland Church in the law which had just passed for its establishment. The field selected for missionary labour was the neighbouring province of Pennsylvania, inhabited for the most part by Quakers, the recent conversion of some of whom led to the belief that there was there a harvest, which needed only labourers to enter in and reap. A subscription was therefore made by the Maryland clergy of a sum, to be paid annually to the commissary and applied by him, “toward the maintaining of another minister in Pennsylvania,” which province in the language of the resolution, was said “most of all to abound with that sort of *unbelievers*,” whose conversion was in view.² The harsh term, so unceremoni-

¹ The acts of Dr. Bray’s visitation held at Annapolis in Maryland, May, 23, 24, 25, Anno 1700. Printed in London 1700. There is so much to interest in this tract, that the author has thought it worth preserving and has therefore reprinted it in the appendix to this volume.

² Ibid.

ously applied to the Quakers, was the result probably of that soreness of feeling engendered by the long continued opposition of that sect to the Church; beside which, its application was made in times when men knew but little of a spirit of toleration. If however, in this particular they erred, and failed in discovering the true principle of tolerating forbearance, and the extent to which it should go; they at least avoided the opposite error of that spurious liberality which sacrifices truth to courtliness, and sometimes refuses to call things by their right names. Whatever mistake of *judgment* they may have made, in supposing that Quakers were of necessity infidels, let them at least have credit for that goodness of *heart* which led them, at some sacrifice of means and comforts, where means and comforts were not abundant, to aim at what they thought would be the greatest possible good to those, whom they at once condemned and pitied. All they could raise was twenty five pounds, and to increase this sum, they requested the commissary to apply to the commissary of Virginia, for the assistance of the clergy within his jurisdiction: and thus did Maryland, entitle herself to the honour, of having originated the first association for missionary purposes, in the Protestant Episcopal Church, on this continent.

Though, as we have seen, the act for establish-

ing the Church had just passed the legislature, and though the clergy were congratulating themselves upon their success, yet it must not be supposed that they were without any apprehension as to the fate of the law when it should be presented to the King. The past had been fruitful of disappointments, and the efforts of their old enemies, the papists and Quakers, were not relaxed. It is not strange therefore, that the forebodings of fear should have come over them, even in the midst of their rejoicing; and under such circumstances, much as they felt the value of their commissary's presence among them, they thought the more durable good of securing permanently the establishment of the Church, was an object of paramount importance to which all minor considerations should yield. Beside, the Church had been brought into something like order, and might therefore be safely left for a time to move upon the track before it, under the impetus which it had received: under the influence of these considerations, after much deliberation, they unanimously requested, and indeed, urged upon the commissary, to go home with the law, explain the true state of religious affairs on the continent of America, repel the assaults of enemies, and if possible, secure the royal approbation to the act which had been passed. The commissary referred them to the governor, and he concurred very readily in any

measures which to them might seem best. Accordingly, it was resolved that his reverence should return to England, with the law,¹ and this resolution was heartily approved by the Churchmen of the province generally. Indeed, the assembly, by vote, would have requested it, but from a consideration of the great expense and fatigue which the commissary had already encountered for the province, and for which he had received their special vote of thanks.²

This voyage, like his former journeyings, was made by Dr. Bray at his own charge, and he no sooner arrived in England, than he found reason to rejoice that he was there, for the apprehensions of Churchmen in Maryland proved to be but too well grounded. The enemy was on the spot, and had lost neither activity nor animosity. The Quakers were the ostensible foe, though behind these lurked the Roman Catholics. They had succeeded in obtaining the ear of those who managed plantation affairs, and had excited a very strong prejudice against the Church, by making false representations of the enormous charge which the clergy of Maryland were like to prove to that country. Some of the members of the Church of England, who before had been well affected to the

¹ The acts of Dr. Bray's visitation, &c.

² Life and designs of Dr. Bray, 29, 30.

infant Church of the province, were staggered and began to waver. This induced Dr. Bray to print forthwith a memorial under his own name, setting forth the true state of religion on this continent, and in Maryland particularly, which was so clear and satisfactory, that the falsehoods which occasioned it, proved in the end a blessing. We have seen that it was supposed in Maryland, that but for the presence of Dr. Bray the act for the establishment would not have been passed ; however this may be, it is certain that his arrival in England was of vast importance to the end desired by the Church. That arrival, even before he published his memorial, was extensively known, and so speedy a return naturally led to inquiry into its cause. The story of Quaker and Roman Catholic opposition thus became known, mens minds were prepared for the memorial when it appeared, and the censures which the members of the establishment openly and strongly expressed on the subject of that opposition, are supposed to have contributed not a little to prevent this law from sharing at once the fate of all its predecessors.

When the law came before the Lords Commissioners of trade and plantations, it was referred by them to the attorney general for his opinion ; and the clause, to which we have already alluded, formed the strong ground of objection. It was stated by the attorney General, that those words,

“or other place of public worship,” were so general that they might be construed to extend to the places of worship of dissenters ; and, though this construction was probably not intended by the framers of the law, yet it might endanger liberty of conscience in the province ; and, therefore, it was submitted whether this clause should not be so far explained as to remove the objection stated.¹ This opinion of the Attorney General was of course, fatal to the hopes of the friends of the bill ; and the Quakers, who conducted their opposition by means of united counsels and contributions, began once more to triumph over the prostration of the establishment. Their triumph however was but short ; for Dr. Bray, availing himself of the strong feeling in his favour, which was manifested more and more, as publicity was given to the past history of the unfortunate Maryland Church, was able to make sufficient interest with those in power to obtain, from the Lords of Trade, permission to have another bill drawn, with advice of counsel, according to the instructions of that board ; the bill was then to be sent to Maryland, passed into a law, without alteration, by the legislature of the province, and on being returned to England, it was promised that his majesty would confirm it : and,

¹ Maryland MSS. : from archives at Fulham.

in the interim, the law already before the board of trade was to be considered as not "totally disannulled."¹ Dr. Bray gladly availed himself of the permission thus given, and employing counsel, caused a bill to be prepared, which, after having been thrice amended at the plantation board, was at length approved and sent to Maryland. It was passed in the province and finally confirmed by the King in the following terms: "Have the quakers the benefit of a toleration? Let the established church have an established maintenance." In the prosecution of this work the poor commissary incurred heavy expenses, and it actually exhausted all the small fortune he possessed. One of the nobility presented to him, at the close of the business, the sum of three hundred pounds, of which he immediately devoted the larger part to the advancement of his public designs for the Maryland Church. In truth he seems to have looked on money only as a means of doing good; he never valued it for its own sake, for when, in Maryland, two donations of fifty pounds each, were made to him by some, who knew the extent of his sacrifices, he applied the whole to further the great ends of procuring the passage of the law for the establishment, and of increasing the parochial libraries.

¹ Life and designs of Dr. Bray, p. 32.

The memorial of the commissary, to which we have alluded, presents the following picture of the Church. The number of the clergy was seventeen; churches had been erected in most of the parishes; the parishes were of very large extent, and some of them but thinly inhabited: the rate of forty pounds of tobacco per poll, for the support of the clergy, would yield about £80 per annum, in the best parishes, according to the price for which tobacco had sold for the three years immediately previous; but there was reason to fear it would be less valuable in future. In twelve of the parishes, owing to the sparseness of the population, the livings were not worth more than twenty-five or thirty pounds. The papists in the province were not more than a twelfth part of the population, but their priests were very numerous; and during the year in which Dr. Bray was labouring for the passage of the law establishing the church, a larger number were sent in, than had ever before been known. The Quakers, who boasted much of their numbers and wealth, were not more than one tenth of the inhabitants, and were poor when compared with their fellow citizens who belonged to the establishment.¹ These were the facts which the commissary published to the world; but, he

¹ A Memorial representing the present state of religion on the Continent of North America, by Thomas Bray D. D. London 1700.

did not stop with this statement. His object was to provide a supply for the spiritual wants of all the colonies, and he took enlarged views of the importance of immediate attention to this subject. He stated that at least forty missionaries were wanted at once, and he pointed out the qualifications which they should possess : he affirmed that common men, the refuse of the clergy in England, would not do for American missionaries. The colonies needed clergymen who were most exemplary in their outward walk and conversation, who were acquainted with the world and blessed with prudence, who had experience of the nature of the pastoral care and its duties, who, especially, possessed what he termed, "*a true missionary spirit*, having an ardent zeal for God's glory, and the salvation of men's souls," and who were not worn down by the weight of years, but had the strength necessary to encounter fatigue and privations ; and withal, men who were sufficiently well read in professional learning to meet at once the almost endless variety of religious notions to which ignorance had given birth. These were the qualifications which seemed necessary to an intelligent and observant man, who had himself been taught, in the school of experience, what it was to be a missionary, and it cannot be too deeply impressed upon the Church that these qualifications are as indispensable now, especially in our

remote western settlements, as they were in Maryland more than one hundred years ago. But how were forty such missionaries as were described, to be obtained? Fertile in expedients, the commissary suggested a plan. He proposed that each bishop, in his own diocese, should select some one or more of the clergy qualified for the labour, and willing to go; that the bishop should then recommend to the clergy and laity of each parish in his diocese to contribute, annually, £50 for the support of each missionary from that diocese, to be paid to the arch-deacon by the clergy, at the annual Easter visitation; the money to be placed by each bishop in the hands of some one in London, on whom the missionaries were to draw.¹

The plan as proposed was never carried into effect, but it contributed to the accomplishment of a more desirable end; for it was one of the measures which led to the establishment of the "Society for propagating the gospel in foreign parts." The last official act performed by Dr. Bray, as commissary of Maryland, seems to have been writing several letters to the clergy, enforcing upon

¹ Dr. Bray's memorial. The copy in the author's possession belonged to Dr. Bray himself, and contains subscriptions in the hand writings of the donors themselves. Thus one writes:—"I will contribute twenty pounds a year, so as I continue in my Bishopric."

"The Reverend Dr. William Sherlock, dean of St. Paul's, promises to pay, yearly, for five years, the sum of ten pounds."

them a compliance with the resolutions which they had adopted at his visitation. He never returned to the province, though to the day of his death, which occurred in the year 1730, at the age of seventy-three, he never lost his interest in these colonies, nor relaxed his efforts in their behalf. His remaining at home was entirely approved by the prelates most engaged in labours for the American Church, and the value of his services to the cause, probably made it important to retain him in England.

In 1702, the law which had been approved in England, and transmitted to Maryland to be enacted by the legislature there, was returned and received the royal assent, and thus was the establishment of the Church, after the efforts of several years, finally consummated. By this law, every congregation and place of worship, according to the usage of the Church of England, for the maintenance of whose minister a certain revenue or income was directed by law to be raised, was to be deemed a part of the established Church. Every minister "presented, inducted, or appointed" by the governor, was to receive forty pounds of tobacco per poll, out of which he was required to pay, yearly, a thousand pounds of tobacco to a parish clerk. The sheriffs were directed to collect the ministers' tobacco. Each parish was directed to have a select vestry, consisting of six at the

least, the incumbent being in all cases placed at the head of the vestry, as principal thereof. On the death or resignation of a vestryman, the freeholders of the parish supplied the vacancy; and on every Easter Monday, two of the vestry of the previous year were to retire from office, and two new ones were to be appointed. A parish register was directed to be kept; the vestries were required to meet once a month, under a penalty; and to them it belonged to keep the churches, chapels, and churchyards in repair. For this purpose they were empowered to receive and apply all fines or forfeitures which might arise under this act; and should they prove insufficient, the justices of the county courts, upon application from the vestries, were to lay a tax, not exceeding ten pounds of tobacco per poll in any one year, which the sheriffs were to collect and pay over to the vestry. No minister was allowed to hold more than two livings at one time, and the consent of both the parishes concerned was made necessary even to hold two. In case a parish was destitute of a minister, the vestry were authorized to select a lay reader, and present him to the ordinary, who might (if he approved of him,) grant him a licence, and sequester so much of the forty per poll as he deemed proper to pay such reader for his services. Nothing, however, was permitted to be read but what the ordinary appointed. The English acts of tolera-

tion were extended to protestant dissenters and Quakers, and they were permitted to have meeting houses, provided the same were certified to, and registered by the county courts.¹

Such were the provisions of the law for the support of religion, from which it will be observed that the member of the Church of Rome was not permitted to derive even the partial privilege of toleration. But let not this be imputed entirely to the legislature of Maryland. This law, as we have seen, had been made by the lords commissioners of trade in England, and was merely sent to Maryland to undergo that grave mockery of legislation which was dictated by the council, who thus, by one and the same act, acknowledged and annihilated the rights and powers of the provincial assembly. The truth is, that the board of trade troubled itself but little with the religion, and looked only to the policy of the act; and that which was politic at home, they supposed would of course be so also in all his majesty's dominions. William of Orange came in as a *protestant* king; his religion was one of the strong rallying points of his adherents; and to strengthen himself in the affection of his newly acquired subjects, who were mostly protestants, he at once yielded to the policy

¹ Bacon's Laws of Maryland, 1702. Ch. I.

which recommended toleration to protestants ; and it is humiliating to reflect that this act of Christian benevolence and justice flowed, not from a sense of right, but was extorted by a stern necessity. That same necessity forbade any indulgence to the members of the Church of Rome ; and thus, those who professed to believe that the protestant dissenter and the Roman Catholic were both in error on the most important of all subjects, betrayed that inconsistency which inevitably attaches to the measures of a mere worldly policy ; for, if human opinion be a proper subject of punishment at all, it would puzzle human ingenuity to tell why, on Christian principles, one religious error should be tolerated and another suppressed. It will not serve as an answer, to say that, in the present case, the one set of errors was more dangerous than the other to the peace of the state ; for this is to remove the question from the high ground of Christian principle, to rest it upon the lower station of worldly expediency : but toleration, if right at all, is so upon the broad basis that erroneous religious opinion is not to be whipped into a sound faith by the lash of the law, but must find its only proper and permanent corrective, in the discovery to which free discussion will at last lead of its want of conformity to truth and reason. This at least is the theory of toleration, but it was not so understood by the statesmen of

William and Mary, because, in their craft, the kindness shown was a mere stroke of selfish policy; had it been otherwise, it would have been seen that toleration, to be consistent, should be universal; and Maryland would not have presented, as she did, the picture of a province, founded for the sake of religious opinion, by the toil and treasure of Roman Catholics, in which, of all who called themselves Christian, none, save Roman Catholics, were denied toleration.

CHAPTER V.

Dr. Bray's plan for supporting the proposed bishop—Opposition to him—Effects of his absence from Maryland—Bishop of London authorizes Dr. Bray to select a person to succeed him as commissary—Mr. Huetson selected—Dr. Bray proposes that the right of presentation should be in the governor, and of induction, in the commissary—Benefits of such a plan—Opposition to it by Governor Seymour—Cruel law against the Roman Catholics—Toleration of Quakers—Plan of legislature for correcting the irregularities of the clergy—An ecclesiastical court proposed—Clergy subjected by it to the laity—Successful remonstrance of the clergy—Death of Governor Seymour—Succeeded by Mr. Lloyd—Severe duties of some of the clergy—Presbyterian ministers in the province—Ill effects of Seymour's administration—Low state of religion in the Church—Mr. Hart made governor—Convenes the clergy—proposes inquiries to them—His representations to the Bishop of London—Application of some of the parishes to the governor for the removal of their clergymen—Governor and clergy ask for a bishop or commissaries—Lord Baltimore becomes a Protestant—The province restored to him—Test oath established.

[1702.]

RETURNING once more to Dr. Bray, we have now to record another effort made by him, for the spiritual welfare of Maryland. He, in common with all other intelligent Churchmen in the colonies, saw that until a bishop was provided for them, they could not hope for a rapid or permanent increase: accordingly, in 1702, the commissary (for he had not yet relinquished his office,)

published a memorial on the necessity of an ecclesiastical superior in Maryland.

In this paper he proposed, as a plan of supporting the bishop, to purchase a well stocked plantation for his residence and use, and to annex, with the consent of the crown, the judicial office of commissary, having jurisdiction of all testamentary causes, to that of bishop; and with his accustomed zeal, he set about carrying the plan into execution, and collected toward it considerable sums; but it never was completed, owing probably to the interposition of some in power at home.¹

How far Dr. Bray deserved the enmity and opposition of any one, may be inferred from his story on our previous pages; that he had to encounter ill will and calumny doubtless arose in some degree from the very fact, that he did not deserve it; for there is a class of minds to which it belongs to "hate the excellence they cannot reach." They of the household, must not expect better treatment than was shown to the master of the house; and no man understood this better than did the commissary. He carried on his truly great designs without reference to the world's clamour, or men's abuse. Looking to a noble end, and seeking its accomplishment by lawful means, he exhibited one

¹ Maryland MSS. : from archives at Fulham.

of the elements of true greatness; and, able to live happily without the noise of present applause, he left his character to the judgment of posterity, and his reward to the great day of God. Among the records into which our labours have led us, may be found, in some few instances, specimens of the little meanness which stoops to "hint a fault," because it wants the manly courage to make a charge: the cowardly malice which "could relate the most surprising stories concerning Dr. Bray's" misdeeds; but most cautiously refrains, and evades detection by enjoining silence.¹ It is refreshing to turn from such illustrations of baseness to the manuscripts of Dr. Bray himself, and in the voluminous mass to find in them no vindictive bitterness, no insinuations, more injurious to reputation, than a direct accusation. In the very few instances in which circumstances compel him to speak of the misdoings of men who strove to thwart his purposes, his language is dignified, his accusation direct, his proofs plain.

When Dr. Bray found that he was to remain in England, he immediately sent over a deputation to three of the most prudent and reputable of the Maryland clergy, empowering them, in his name to hold visitations, and see to the execution of the

¹ Maryland MSS.: from records at Fulham.

resolutions, which had been adopted while he was among them : but these gentlemen never acted, probably because their brethren were unwilling to submit to any thing like authority exercised by those, who were on the same level with themselves. And yet it was most desirable that authority should be exercised ; for the absence of Dr. Bray was soon followed by the renewal of former irregularities ; thus the commissary had the mortification of hearing that a most unworthy and profligate clergyman, whom Dr. Blair had succeeded in driving from Virginia, had found in Maryland, not merely an asylum, but had actually been placed in one of the best parishes, and in the possession of one of the largest parochial libraries in the province.¹

Upon receiving this intelligence, Dr. Bray immediately laid it before the Bishop of London, and used it as an argument for sending a commissary as soon as possible. His lordship acquiesced, and directed the commissary to seek for a suitable individual ; and he selected the Rev. W. Huetson archdeacon of Armagh, who was approved by his lordship. There was also a feature in the case of the unworthy Virginia clergyman to which Dr. Bray called the attention of his diocesan. He had been presented and inducted by *the governor*,

¹ Maryland MSS. : from archives at Fulham.

who was for many purposes considered the ordinary. There were evils resulting from this system; the right of presentation appeared properly enough to be vested in the governor; but as to induction, if that also belonged to him, the commissary would have little or no power to keep out an undeserving clergyman. His remonstrances to the governor (and remonstrance was all that was left to him) might be treated with contempt, and the most worthless ministers, once inducted, took under the law a support, which was apt to be permanent, because of the difficulty in effecting a removal. It was therefore a wise proposition which Dr. Bray made, that the right of induction should belong to the commissary, while that of presentation, remained in the governor. It is much to be lamented, that this suggestion, had not been adopted and carried out into practice. There are so many instances to be met with in the early history of the Church on this continent, in which, a governor, more anxious to provide for a favourite, than to promote pure religion, abused his right of presentation and induction; that no small share of that blame which has rested on commissaries and clergymen, belongs rightfully to the governors. The check which it was here proposed to place in the hands of the commissary, who, be it remembered was held accountable, by his diocesan, for

the misconduct of his clergy, and who therefore should have had some check, could not have operated injuriously. The unreasonable refusal of a commissary to induct, upon presentation by the governor of a proper man, must in most cases have yielded to the influence which a ruler always wields, and could not long have withstood the demand of a parish satisfied with the proposed incumbent. A good minister therefore, would not have been kept out by the caprice of the commissary; and in the case of a bad one, the pertinacity of his refusal only increased its virtue. But the proposition of Dr. Bray was never adopted, and the royal governors were for too many purposes, made the visible head of the Church; simply, because the Church was considered by most of those at home who were legislating for it here, as but a part of the machinery of government, an appendage merely of the state; and it made provincial rulers more important, in the eyes of the ruled, to exercise authority in all departments, whether civil or ecclesiastical. In all this there was a mistake in policy, to say no more; for had the Church been left more free of the governors, and had the rightful powers of discipline been sustained in the commissaries, better clergymen and better subjects, would have been the consequence; and thus the discovery might have been made, that it is the

Church which supports the civil institutions of the state, and not the state which keeps the Church in being.

As a striking confirmation of the evils which followed upon this plan of making ecclesiastico-civil rulers, an incident occurred in Dr. Bray's life, which shall be related because it is valuable also as evidence to the character of Dr. Bray. It has been already mentioned that Mr. Archdeacon Huetson had been selected by Dr. Bray as his successor, and had been approved by his lordship of London. The selection had been made, just about the time, that Colonel Seymour had been appointed governor; and before he embarked, the bishop, had an interview with him, Dr. Bray, and the proposed commissary. One purpose of the interview was to solicit of the new governor that the commissary might be the judge in testamentary causes, and thence derive a portion of his support: the value of the office was about three hundred pounds. The request was refused, and the new governor was more than once, afterward, heard to declare, that he would have no commissary in the province; and during his administration, not only did he fulfil his declaration; but as we shall presently see, attempted to secure to himself the right to exercise powers, which would soon have reduced all the clergy to abject contempt. The statement given by Dr. Bray of the conduct of Seymour in

this transaction, furnishes one of the instances to which we have alluded on a former page, of that dignified, temperate, and manly boldness with which he could expose iniquity.¹

In the spring of 1704, Colonel Seymour entered upon his duties as governor, and among the first acts of assembly which marked his administration, was one, the object of which, was to prevent the importation into the province, of too great a number of Irish papists.² The dread of popery must have been excessive, if we may judge from the penalties of another act, made, "to prevent the growth of popery." It was enacted, that "whatsoever popish bishop, priest or jesuit should baptize any child or children, other than such who have popish parents, or shall say mass, or exercise the function of a popish bishop or priest within this province, or should endeavour to persuade any of his majesty's liege people of this province to embrace and be reconciled to the Church of Rome" should upon conviction pay the sum of £50 and suffer an imprisonment of six months. And, if after such conviction, any popish bishop, priest or jesuit should say mass or exercise any function of a priest within the province; or if any persons professing to be of the Church of Rome should

¹ Maryland MSS. : from archives at Fulham.

² Bacon's Laws, of Maryland, 1704 : Ch. IX.

keep school or take upon themselves the education, government, or boarding of youth, at any place in the province; upon conviction, such offenders should be transported to England to undergo the penalties provided there by statute 11 and 12 William III. "for the further preventing the growth of popery." And that protestant children of popish parents might not, for want of a suitable maintenance, be compelled during the life time of the parents to embrace the popish religion contrary to their inclinations; it was enacted, that if any such parent refused a proper support to his protestant child, then the governor or keeper of the great seal had power to make such order therein as suited the intent of the act:¹ in other words, was at liberty to deprive a father of the earnings of his labour, for the sake of promoting the orthodoxy of his child. Little comment is here necessary. The enactment enforced a gross violation of the best feelings of human nature: it forbade a parent to fulfil the first duty which he owed to his offspring, that of instruction; and dissolving filial obligation, offered to a wayward child, a premium for youthful hypocrisy. He who can speak of such a law in any terms but those of indignant

¹ Acts of assembly, passed in the province of Maryland, from 1692 to 1715. London, 1723. p. 24.

reprobation, deserves himself to endure all its penalties.

The severity of this law was, however, in some degree modified, for the statute book of this year presents us with a law, which permitted a Romish priest to exercise his function in a private family of the Roman communion, but in no other case whatsoever.¹

The spirit of intolerance which thus exhibited itself toward the members of the Church of Rome, did not under Seymour's administration reach to the protestant dissenters. Some of them, particularly the Quakers, had already borne their share of the penalties, wherewith the dominant party were accustomed to visit separatists from the establishment. The example furnished from home, after a time, however taught Maryland a different lesson. It was not the policy of William of Orange to persecute and thereby alienate protestant dissenters in England. Accordingly in 1702, as we have seen,² the provisions of the English act of toleration, were extended to the Quakers. Some prosecutions however, were afterward instituted for holding Quaker conventicles, and so reluctantly was obedience rendered to the law which afforded protection to them, that for the sake of

¹ Bacon's laws of Maryland, 1704. Ch. : XCV.

² Ante, p. 115

consistency, it was found convenient to intimate doubts as to the operation of the act of toleration in Maryland. To settle this doubt, in the year 1706, that act was expressly adopted as a part of the laws of the province, and the Quakers were no longer molested.¹

It is much to be lamented, that while Churchmen were thus employed in punishing men for non-conformity, they should not have illustrated their own orthodoxy, by a consistent Christian life. Yet so it was, that about this time, the immoralities of some of the clergy of the establishment, had become so glaring, that the legislature thought it necessary to devise some mode of coercing them into decency of demeanour. There was, as we have already stated, no commissary now in the province. Mr. Huetson whom Dr. Bray had selected to succeed him, never came, and Governor Seymour was determined during his administration, to allow of no such officer within his government. The legislature therefore, resorted to the expedient of establishing an ecclesiastical court. It is possible that in adopting this measure, expression may have been given on the part of some, to the feeling of secret hostility, which existed in their bosoms against the clergy; this however, was pro-

¹ Bacon, 1706, Ch. VIII. McMahon, 245. 246.

bably true of a part only of the legislature; and in this act of the *laity*, seeking to establish something like ecclesiastical regimen, a very powerful illustration is furnished of the evils of that sad mistake, so long persisted in by the powers at home, of not sending a bishop to these colonies. That the laymen composing the assembly should have overlooked in the plan they devised, certain fixed principles of the Episcopal Church, is not to be wondered at. They were probably ignorant of them, and indeed in their anxiety to provide a remedy for a gross and flagrant evil, they lost sight of every thing else.

Their plan, was the establishment of a Spiritual Court, to be composed of the Governor, and three laymen. To this body it belonged to superintend the conduct of the clergy. They were to have cognizance of all cases of immorality on the part of a clergyman, and of non-residence in his parish for thirty days at one time, and their powers extended to deprivation of his living, and *suspension from the ministry*. This bill actually passed both houses, and the Governor refused his assent to it, not on the ground that it was wrong in principle, or not called for by circumstances; but simply, because he had no instructions from home concerning the matter.

The better part of the clergy, readily admitting the necessity of some restraining power over the

profligate portion of their brethren, yet felt alarmed at the prospect of such a remedy as this. They knew that according to the system in which they had been educated, it belonged to the Episcopate alone, to suspend from the ministry, or pass sentence of degradation on a clergyman. They therefore viewed the proposed plan, as "a presbyterian form of ministers and ruling lay elders, and as laying a foundation for the introduction of a presbyterian form of Church government in the Church of England in Maryland, as well as subversion of the Canons of the Church, which give the Bishop alone power to pronounce sentence."

To prevent these ill consequences, some of the clergy immediately wrote to the Bishop of London, informing him of the proposed measure, adding that the assembly had expressed its determination to bring forward the bill at every session, until they had obtained its passage. They represented to his Lordship, that "it would be establishing presbyterianism in the colony, upon the neck of the Church, and raise an effectual bar to the introduction of Episcopacy, which," (they add) "is generally wished for by the clergy of this province."¹ His Lordship we must presume interposed successfully, as we find no further trace, at

¹ Maryland MSS.: from archives at Fulham.

this time, of any effort to enact the obnoxious law. Those of the clergy who had the foresight to discover the consequences of this plan, and the firmness to resist the plausible plea of necessity when used to justify a violation of what they deemed a principle, are entitled to our respect: but, what must have been the extent of injury inflicted upon the cause of religion, by clerical profligacy so rank, that even the laity felt obliged thus to labour for its correction; and what blame justly attaches to those, who sending such men over to the colonies for their spiritual improvement, yet neglected to send some one, who might either have restrained their vices, or delivered the Church from the contamination of their touch.

Though some of the legislature, as we have intimated, might, from the natural disgust excited by ministerial worthlessness and wickedness, have thence yielded to a prejudice against all who wore the gown, and been willing to bring the clergy before a spiritual court; yet we must not impute the consent of the assembly in this matter to prejudice alone, or to a desire to oppress the clergy. Such was not the fact. The colony contained now about thirty thousand inhabitants;¹ a majority of these were protestants, and of the Church of Eng-

¹ McMahon, 273.

land, many of them possessed wealth and character, and truly loved the Church to which they belonged : they had its interest at heart, and they knew that bad men in its ministry, only afforded a triumph to its enemies. The very same legislature that passed the act on which we have been commenting, continued in force a law which had been enacted in 1704, whereby twenty shillings per poll, was imposed as a tax on every Irish servant imported into the province, to prevent the entrance of too many Irish papists.¹ This proves that the feelings of the laity were on the side of the Church of England. They are not to be blamed for their intentions in setting up the spiritual court ; they mistook only the proper remedy for a striking evil. They should have plied the powers at home with unceasing applications for a bishop.

Governor Seymour died in 1709, and was succeeded temporarily by Mr. Lloyd, who acted as president until a new governor was sent. The condition of affairs in the Church appears not to have materially improved during the administration of Lloyd. Some of the clergy still continued to be vicious, and were hardened in iniquity by impunity in crime ; while some of those who were disposed faithfully to labour, seem to have been

¹ Bacon's Laws, 1708. Ch. XVI.

not only overtasked, but inadequately requited. One of this latter class, in a letter to his bishop, thus describes his situation: "For these four years I, alone, have served as a presbyter of the Church of England, the whole county of Somerset, consisting of four parishes, so that six congregations are supplied by me; which obliges me to travel two hundred miles per month, besides my pastoral charge in my own parish, (Stepney) which has a church and chapel, and is near thirty miles in length, and some sixteen or eighteen in breadth. My lord, I cannot subsist without some assistance, for tobacco, our money, is worth nothing, and a poor ten shillings is all the money I have received by my ministry and perquisites since October last."¹

But the sufferings of some of the established clergy furnished not the only reason for the depression of the Church. In regions poorly supplied with Episcopal ministers, preachers of other protestant denominations were very sure to be found. Thus in another letter from the same individual whose language is quoted above, the Venerable Society is informed that, in the county of Somerset, "the Church loses daily by the want of ministers on our part, and the careful supply by

¹ Maryland MSS.: from archives at Fulham.

dissenting *i. e.* Presbyterian preachers on the other side.”¹ Frequent disputes, too, seem to have occurred between incumbents and their vestries, on the subject of the tobacco payments to the clergy. Forty pounds of tobacco per poll was still the annual assessment, and the incumbents sometimes claimed the whole, without having rendered a year’s service therefor. This induced the legislature to interfere, and, in 1713, an act was passed, which gave to the incumbent his salary from the day of his induction; and directed it to be paid up to the day of his removal or death, and not beyond that time.²

All these troubles were the result of misgovernment, or rather of the want of all government. During the period in which Dr. Bray was commissary, there had been as much prosperity, and as rapid progress as could, with reason, have been looked for; but, for many years, there had now been no commissary in the province; and to the pompous self-importance of Governor Seymour was the Church indebted for her present prostration. He was determined to be sole ruler both in Church and state. He lived long enough to introduce and give permanency to his plan; and when he died, affairs under the presidency of Lloyd were

¹ Maryland MSS. : from records at Fulham.

² Bacon’s Laws of Maryland, 1719. Ch. I.

left to proceed as they were, because few were found to interest themselves deeply in the welfare of the poor colonial churches. Whenever any act at home tended to their improvement, it came with tardy steps, and after long and humble solicitation; and it is remarkable, that the representations of those most interested and most likely to be well informed, even the *worthy* clergy, were just those which, for the most part, seem to have been least regarded. The letter of a profligate governor was always worth more at the council board, or board of trade, than that of the most exemplary clergyman on the continent. The fact was, that those at home had sent hither so many clerical vagabonds they scarcely seem to have understood that, possibly, a Christian, a scholar, and a gentleman might be found among the clergy in America. They seem to have been incapable of comprehending the fact, that a man of refinement, cultivation, and piety, might be influenced by zeal for God, and love for men's souls, to expatriate himself, and, as a missionary, to become a voluntary exile in the rude and infant settlements of America; and yet there were such men, and their representations were more worthy of credit and respect than those of half the royal governors who were ever in the colonies.

The reader will not wonder, after the statements we have made, to find that the progress of ecclesi-

astical affairs was from bad to worse. In 1714, this was the picture as presented by one of the clergy to the Bishop of London. "There seems to be an universal disregard, (a few only excepted,) of holy things. I need not give a more convincing proof of this than the neglect of baptism and the holy sacrament among them. The former of these is so notorious, that whole families, both parents and children, do live, and sometimes die without it, and indeed seem, for the most part, to take no care about it. But what gives me the greatest uneasiness is, that dissoluteness of manners (the unavoidable consequence of the want of discipline among us,) which has universally spread itself over the province, of which the frequency of polygamy, &c. is a flagrant instance. These are beyond my power to redress, and the more, because those who are guilty despise the checks of conscience and religion, and are above every consideration but the penalties of the laws, and here there are few to enforce their obedience."¹

Such was the state of things when, in 1714, Mr. Hart came to the government of the province. He appears to have been, (unlike some of his predecessors,) a man not destitute of proper religious feeling, and very soon after his arrival began to

¹ Maryland MSS. : from archives at Fulham.

make inquiries into the condition of the Church. Finding that many of the clergy were altogether unknown to each other, from the distance of their respective residences, he determined to bring them together, for the double purpose of promoting mutual acquaintance and of making inquiries of them touching their several cures. Accordingly, in June of this year, he caused them to convene at Annapolis, and then propounded to them certain queries, as follows :

Is God Almighty duly served throughout the the province ?—Is the book of common prayer, as by law established, read each Sunday and holy day ?—Is the blessed sacrament administered according to the rites of the Church of England ? Are there a sufficient number of churches built for that end, and are those that are built, kept decently and orderly ?—Have you all competent maintenances and glebe houses and land for the exercise of your ministry ?

Is every minister one of the vestry of his parish ?

Is there any minister who preaches and administers the sacrament in any orthodox church or chapel without being in orders, for resolution of which I desire to see your ministerial letters ?

These were the principal questions of the governor, to which the clergy, who were assembled to the number of twenty-one, answered,—that

worship was duly conducted, according to the common prayer, and the sacrament administered whenever there was an incumbent; that in most of the parishes there were churches and chapels enough, though some needed repairs; that some of the parishes were furnished with very good glebes, others had but weak ones, and some had none. They also stated that most of the parishes, even at the best, afforded but a bare competency; that every minister was the principal vestryman in his parish, and that they knew of none who officiated without having been regularly ordained. They complained of the growth of popery by the coming in of many priests of late; of the abuse which the dissenters made of the indulgences granted them by law, and also of the gross immorality of the people generally.¹

The better portion of the clergy seem to have been encouraged by this notice of the governor, and congratulating themselves also upon the recent translation of Bishop Robinson from the see of Oxford to that of London, they began to hope for a better state of ecclesiastical affairs. Governor Hart communicated to the bishop the proceedings of the meeting of which we have spoken, and presented his view of the condition of the

¹ Maryland MSS.: from archives at Fulham.

Church in the following terms:—"There are among the clergy of Maryland many worthy persons, who deserve more encouragement than can be expected here. I am sorry to represent to your lordship, on the contrary, that there are some whose education and morals are a scandal to their profession, and I am amazed how such illiterate men came to be in holy orders. The advantage which the Jesuits have from their negligence is but too evident in the many proselytes they make. Nor is there any other remedy for this growing evil but by making use of the authority I have to constrain them from entering the houses of dying persons."¹

The society for propagating the gospel in foreign parts, had no missionaries in Maryland; the Church being there an establishment was supposed to be provided for; but notwithstanding this, the governor communicated to the society, as well as to the Bishop of London, what had taken place at the meeting of the clergy in Annapolis, and that institution determined to apply to the Lord Baltimore for an enlargement of the glebes and salaries of the clergy by bestowing upon them all forfeitures, and escheated lands, in the province; but the death of Baltimore at that juncture prevented the appli-

¹ Maryland MSS.: from records at Fulham.

cation. It was however made to those who had the care of the estate for the infant heir of his Lordship, but it is believed, without success.¹

The presence of Governor Hart, and the favourable inclinations he manifested toward religion and the Church, begat the hope in several of the parishes that were cursed with profligate clergymen, that a remedy was now at hand, and that his excellency had power to remove such as were a scandal to religion. Accordingly, one of the parishes made application to the governor by way of petition, and drew up articles against their minister. His excellency invited some of the clergy to consult with him as to the proper course to be pursued. They recommended that the offending clergyman should be advised immediately to reform his life, and be reconciled to his parishioners, and in case he refused so to do, that then the governor should call on him to make his answer to the charges preferred against him, and that the testimony on both sides, should be transmitted to the Bishop of London for his determination of the case. The vestry however seem to have thought the process rather tedious, and therefore renewed their solicitations to the governor, to decide the matter forthwith; he thought of summoning the

¹ Maryland MSS. Records of Venerable Society.

delinquent, to make his defence before the council, and would have done so, had he not been advised by some of the clergy that the matter was one purely of ecclesiastical jurisdiction. Finally, he sent three clergymen into the parish from which the complaint had come, that they might examine into the matter, and this was done partly to quiet the minds of the complainants, and partly to ascertain facts which might be laid before the Bishop.

This case may serve to show how difficult it was to reach an offender with the rod of discipline, and the difficulty was felt the more sensibly, because unfortunately there were many offenders who needed its wholesome touch. Several of the other parishes in the province were but awaiting the issue of the complaint in the case brought before the governor, to institute immediate proceedings against their respective ministers; while the Roman Catholics and dissenters looked on with contempt, not unmingled with satisfaction, at the picture of an establishment, so profligate in some of its members, that even the laity sought to purify it, and yet so weak in its discipline, that neither clergy nor laity could purge it of offenders.¹ The better part of those who were in orders made fair representations of these facts, to the Bishop of

¹ Maryland MSS. : from archives at Fulham.

London; the governor confirmed all their representations, and both asked for a bishop: but no bishop ever came. They asked also as a remedy, though not the most effectual one, for the appointment of two commissaries, to be placed, one on the eastern, the other on the western shore of Chesapeake bay, but for the present they asked in vain.¹

Up to this time, the law had required of all vestry men to subscribe the articles of the Protestant association, but upon the accession of George I. (which was hailed in the province with a most passionate burst of loyalty, as insuring stability to the protestant faith) the law was altered; and in 1715 an act was passed against the claims of James III. as a pretender, and all vestries were required to take the oath of abjuration, and of allegiance to George I. The apprehension of an influx of Irish papists, seems not to have been at all diminished, for the former tax of twenty shillings was continued upon every one imported, a penalty of five pounds in each case was imposed for the concealment of their importation, and not long after, it was enacted that certain oaths should be tendered by the naval officers to Irish servants, on board of any ships arriving, by means of which their religious opinions might be discovered.²

¹ Maryland MSS. : from archives at Fulham.

² Bacon's Laws 1715. Ch. XXXVI. Section VII. 1717 Ch. 4

At the close of our second chapter, the history was given of the removal of all the powers of government from the family of the Calverts. From 1692 up to this time, this invasion of the rights of Lord Baltimore (for such we must consider it) had been continued by the British crown. It was the result of policy alone. The proprietor was a Roman Catholic. It was the interest of the crown to sustain the protestant cause, and the inhabitants of Maryland being for the most part friendly to that cause readily co-operated with the government at home. The consequence was, that the proprietor was permitted to enjoy merely his private rights, while all power of ruling the province was taken away.

The then Baron of Baltimore perfectly understood his real position. The efforts of the Pretender too, frequently renewed as they were about this period, only served to strengthen the crown in the policy it had adopted, and the proprietor reconciled his mind to the abandonment of all hope or expectation of the restoration of the government, in his own person. He adhered to his religion at the sacrifice of his right of government. For his children however, under the influence of parental feeling, he prescribed a different course; and if it should seem hard to reconcile it with the sternness of principle, let the heart of a father furnish something like an apology. The interests of

that father in the province of Maryland, he knew, would furnish almost the sole patrimony of his heirs: his mere private rights detached from the power of governing, were of course in continual jeopardy. Already had he been legislated out of some of them by those who, in their dread of the establishment of his religious opinions, were but too apt to feel no sympathy in his claims, however just they might be. The disfranchisement, and perhaps utter temporal ruin of his family stared him in the face, and he had not the firmness to contemplate the prospect unmoved. He therefore prevailed upon his son Benedict Leonard Calvert to embrace the doctrines of the established Church of England; and thus did the family once more return to that reformed faith which had been most conscientiously abandoned by the first Baron of Baltimore. The contrast it must be confessed, is striking between the departure and the return: the one, though founded as we believe upon a mistaken view of truth, commands our unqualified respect, for it never stopped to count the extent of personal sacrifice which it was to cost; the other, though in accordance with what we deem the claims of truth, excites only our pity, because, founded on no lofty motive, capable of appreciating principle far above all worldly profit, it was made upon a ground, which can only plead in its extenuation the infirmity of human nature. The

noble spirit is constrained to acknowledge, with a blush, this triumph of mortal weakness.

Benedict Leonard Calvert, lived not long to enjoy the rights thus obtained. Within little more than a year he followed his father to the grave, and the title devolved upon his infant son, Charles Calvert. The child was educated in the protestant faith, and in May 1715, (all pretext for the suspension of the proprietary government having now ceased to exist) George the first fully acknowledged the claims of the Baltimore family, both to the property and government of Maryland, and the administration of the latter, was immediately assumed for the infant heir by his guardian Lord Guilford, who issued a commission in the joint names of the proprietary and himself, to Mr. Hart, the late royal governor of the province.¹

The restoration of the government to a protestant proprietor, does not seem to have been marked by any very striking effects. The people had been without it for six and twenty years, and the old feelings associated with it, had for the most part descended with the aged into the grave. But little, if any, apprehension was felt on the score of religion, because the proprietor avowedly professed that of a majority of the people. However the

¹ McMahon, 278.9.

occasion was favourable, and the example of England invited imitation (though the circumstances of the two countries were materially different) and accordingly the legislature of Maryland established a test oath which involved the renunciation of some of the doctrines of the Church of Rome, and thus effectually excluded the members of that Church, from all participation in the government.²

² Bacon's Laws, of Maryland, 1716 : Ch. V.

CHAPTER VI.

Evils resulting to the Maryland Church from being an establishment—Appointment of Mr. Wilkinson and Mr. Henderson as commissaries—Their characters—Opposition to them—Commissary Wilkinson's first visitation—Plan for starving out the clergy by dividing the parishes—Commissary Henderson's first visitation—his official importance—Evil effects thereof—Revival of discipline—Unsuccessful effort to obtain from the legislature a recognition of commissary's authority—Inconsistency of the legislature in this—Governors refusal to aid the commissaries—his object—His removal by the proprietor—Mr. Henderson convenes his clergy—Charles Calvert governor—Condition of the Church—Kindness of the clergy toward the orphan children of their deceased brethren—Disputes among the clergy as to parishes—Public school established in each county—Law for protecting Quakers in their public worship—Controversy between the legislature and the clergy—Character of the clergy at this time—Persevering hostility of Thomas Bordsley toward the clergy—his schemes to ruin them—Governor shields them—Disputes of the Jesuits with the clergy of the establishment—Bordsley's efforts continued—Stimulated by his political sentiments—Nonjuring bishops in Maryland—Mr. Talbot and Dr. Welton—Mr. Henderson's offer to sell his property to the Venerable Society, at a reduced price, for the support of a bishop.

[1716.]

WE now return to consider more particularly the progress of the Church, under the new arrangement of the civil government. Governor Hart, as we have already said, seems to have possessed more desire to promote Christianity in the establishment, than most of his immediate predecessors.

The necessity for his efforts had by no means been diminished, by the mere change in the administration of affairs. It was of comparatively little moment who or what swayed the sceptre in matters of civil polity, so long as there was no ruler in ecclesiastical concerns. In truth, the Maryland Church was in a worse condition than that of some of the other colonies, from the very fact that she was an establishment.

It will be remembered that on a previous page we have said there was no direct connexion between the Venerable Society and the Maryland Church. Being an establishment, it was supposed, or at any rate such was the theory acted on, that she could sustain herself, and needed not missionaries sent out by the society. The consequence was that the society sent her none. In most of the other colonies, the clergy were obliged to report to the society, and these reports were made public; there was therefore some, though it might have been but an imperfect check, upon their conduct. Grossly improper behaviour was likely, in some mode or other to become known to their employers; and if no other discipline could be exercised, the unworthy might at least be stricken from the list of the societies missionaries. But in Maryland, even this poor corrective was wanting; the society had no official connexion with her clergy, and heard from them only through the Bishop of

London, or by some chance letter which some clergyman of the province might occasionally write to the secretary, merely to convey, privately, information which it was supposed the society might be gratified by possessing.

One of these chance letters, dated at the time of which we are now writing, thus speaks :—"The clergy (generally speaking) are not so industrious, nor their lives so innocent, as those employed by the Honourable Society, which makes other sects to grow apace here, though they decrease in those places that are under the direction of the society. The Roman Catholics, especially, gain much ground of us; and I verily believe that if the jurisdiction of our Church do not soon take place here, it will, by degrees, dwindle to nothing. I am not of opinion that the fault is *entirely* in the clergy; there is a great deal owing to the diligence and ingenuity of the Romish priests; but, at the same time, it is very obvious that the weakness of some of our clergy, the negligence of others, and the ill lives of many, have made more converts to that Church than their priests could have done, notwithstanding their extraordinary abilities. This is not only my own opinion, but the opinion of many worthy gentlemen who have lived long in the province."¹

¹ Maryland MSS. From the records of the Venerable Society.

It will not have been forgotten by our readers that when, in 1714, Governor Hart entered upon his administration, and convened the clergy to obtain information of the state of the Church, both he and they earnestly petitioned the powers at home for a bishop; or, if a bishop could not be had, that at least two commissaries might be commissioned, one for the eastern, the other for the western shore of the Chesapeake. This latter request was at length destined to meet with a favourable reception; and, in 1716, the Rev. Christopher Wilkinson, and the Rev. Jacob Henderson, both of whom resided in Maryland, and had been recommended by the governor and clergy, were appointed commissaries by the Bishop of London, the former for the eastern, the latter for the western shore.¹

Both these gentlemen deserve honourable remembrance, though no two men, probably, ever differed more in natural disposition. The one (Mr. Wilkinson,) seems to have been remarkable for the prudent and judicious, yet slow, operations of a sound and well balanced mind, directed by the feelings of a truly pious heart. The other, (Mr. Henderson,) equally pious, equally sincere in his attachment to the Church, with a much more

¹ Maryland MSS.: from archives at Fulham.

ready, and indeed abler understanding than his colleague, sometimes permitted the ardour of his temperament to hurry him beyond the limits of discretion. He was an entire stranger to fear, and in the cause of the Church was ready, as our future pages will show, to encounter any thing. Whenever she had a battle to fight, Jacob Henderson might be sought, with the certainty that he would be found, in the front rank; and the blows he dealt there were not of the gentlest.

The province had for so long a time been accustomed, in many of the parishes, to observe the misconduct of those who ministered in them, that it excites no wonder to find, in such cures, religion at a very low ebb. In fact, most of the influential and wealthy inhabitants appear, from the correspondence of the day, which we have before us, to have been, though nominally Churchmen, yet in reality opposers of the truth. The common people, however, were of a different character. They rejoiced in the appointment of the commissaries, while, with the single exception of the governor, all those in the higher ranks of life were much displeased; and, as they supposed that the discipline of the Church might, in the hands of the commissary, reach even unto them, they combined, without coming to open resistance of the bishop's delegated authority, effectually to thwart its exercise by every species of annoyance.

Thus, very soon after the appointment of the commissaries, the assembly, composed of the higher classes, took occasion to express their dislike of the clergy, by the passage of a law touching the fees for marriage, in which they reduced them from the amount which had ever before been customary, contradicted a part of the law for the establishment of the Church which had received the royal assent, and indulged, as the clergy complained, in dishonouring insinuations and reflections upon their body.¹

Early in 1717, Commissary Wilkinson held his first visitation upon the eastern shore, at which he convened seven clergymen. His reverence delivered to them a very prudent and sensible charge, presented to the church wardens divers queries, to be by them answered, touching their respective churches, and for the satisfaction of the common people, translated his commission from Latin into English, and caused it to be distributed among them. The effect of all these measures was decidedly favourable, and the commissary had the pleasure of so reporting to his diocesan, by whom his proceedings were entirely approved.² The clergy assembled at this visitation also addressed a

¹ Bacon's laws of Maryland, 1717. Ch. : XV.—Maryland MSS. : archives at Fulham.—Clergy's letter to Bishop of London.

² Maryland MSS. : from archives at Fulham.

long letter to the bishop, in which, after thanking him for the appointment of Mr. Wilkinson, in whom all seem to have had confidence, they proceed to sketch a picture of their condition, on the leading features of which we will, for a moment, dwell.

One cause of grievance, they stated to his lordship, was the inconvenience of the time appointed for the payment of their tobacco salaries by the sheriffs: but this, which they had long borne, was small compared with the more serious evil, if executed, of a threatened reduction of their livings, by a division of parishes, until they should be thereby made so small that no cure would be able to maintain its minister. The parishes afforded, at best, but a moderate and scanty support, and a reduction of their means would, as the clergy alleged, "drive all that are now in the province out of it, if they can get any better provision elsewhere." The truth seems to be that there was on the part of some of the chief men in the assembly, a design, thus indirectly, to *starve* out the clergy. Commissary Wilkinson, in his letter to the bishop, intimates his suspicion of such a plan, and points out its ruinous consequences. How general the combination may have been for this purpose cannot now be certainly known, but it must be confessed the temper of the legislature rendered its execution not at all improbable.

The clergy also represented to the bishop that the gentry of the land could not hear, with patience, of the exercise of his jurisdiction by the commissaries, and that it was, therefore, hopeless to expect from the legislature the smallest support to those officers, or any direct recognition of their authority. They bore testimony also to the general good disposition of the common people, imputing their difficulties with them, when any such existed, to the instigation of malevolent persons, and dissenters. They also requested of his lordship to intercede with the Lord Baltimore, and his guardian, Lord Guilford, to instruct the governors, for the time being, to pass no law relative to ecclesiastical matters, without first causing the commissaries or some of the clergy to attend, and allowing them a hearing on the subject; and they thus conclude:—"It is a sad truth that we must declare that we have not one friend in the province, except our governor, to make our application to; nor any access to, nor place, nor employ in the government, nor friend in the world that we know of, but your lordship, to stand by us."¹

We turn now to the visitation, held by Mr. Commissary Henderson, upon the western side of the

¹ Maryland MSS.: from records at Fulham.

bay. This commencement of his official duties it must be confessed was inauspicious, and seemed to promise little, save trouble to the Church. The commissary (if we may judge from his subsequent conduct) by no means designed to do what was wrong; but conceiving the dignity of his diocesan as represented in his person, to be insulted, he assumed in its vindication, too much of the inflated consequence of official greatness; and in his measures, was far more energetic than discreet. That ardour of temperament, of which we have spoken, hurried him into a course which his best friends could not justify; he had however the generosity of spirit and ingenuousness of nature, which in an honest man, are so often found to accompany warmth of temper; and when convinced of his error, he had the magnanimity to own it, and retrace his steps.

There appeared at this visitation, which was held at Annapolis, twelve clergymen beside the commissary, and Churchwardens from thirteen parishes. To these last, certain queries were proposed under the five following heads, viz: concerning ministers, their duties and office—things pertaining to the Church edifices—the parishioners—church officers—and schoolmasters. The answers to these inquiries could not but be such as would present a fair view of the actual condition of the several Churches, and these answers were rendered

under the sanction of an oath bearing no small resemblance to that administered to the grand inquest of a county. The Churchwarden's oath was as follows: "You shall swear to inquire with your best diligence, and to make a true answer unto every article in this book now given you in charge; and to present every person that now is, or of late was, inhabiting within your parish that hath done any offence, or omitted any duty therein mentioned: and this you shall do as in the sight of God, uprightly and truly, without favour or malice, hope of reward, or fear of displeasure—So help you God!"

Upon examining the interrogatories propounded under the third head, touching parishioners, it is easy to perceive why the higher classes in the community had but little relish for the presence of commissaries. Obedience, by the Churchwardens, to the oath just set forth, would be very sure to bring to light many delinquencies and crimes of the gentry; for the interrogatories were so framed that evasion was impossible; and though upon detection, the discipline of the Church might have been despised, it was not so easy to escape the disgrace implied in a formal presentment of profligacy and vice, made by men acting under the solemnities of an oath.

The clergy were severally called on, at the visitation, for the production of their letters of orders,

and licenses from the Bishop of London to officiate in the colonies: and it was in this part of the proceedings that the commissary so indiscreetly asserted his official importance. Perhaps, more was felt on both sides in this matter of exhibiting letters of orders, from the suspicious jealousy which the clergy of English ordination entertained of those who had received their ministerial authority from Scotch bishops. The Scotch Episcopate, was then adhering to the house of Stuart, and was virtually disowned, or at any rate not acknowledged, by the English hierarchy. Maryland and Virginia had many clergymen from Scotland, and the correspondence of the English ministers of that time affords us frequent evidence that they looked with but little cordiality upon their Scotch brethren. Indeed, so strong was the feeling, that even Dr. Blair, the good and useful commissary of Virginia for so many years, at one time experienced trouble, not to say insult, from some of his clergy, simply because of his Scotch ordination.¹

The record of the visitation before us states that upon the production of his letters of orders and license by one of the clergy, the commissary put them into the registers bag, intending to peruse them at his leisure. The clergyman met this illus-

¹ Virginia MSS.: from archives at Fulham.

tration of official superiority with a prompt assertion of his rights. He instantly demanded the papers from the register, and openly said that if the Bishop of London, or even the King himself, should thus possess himself of his property, he would resist the usurpation. Upon the refusal of the register, he directly repaired to the governor, and obtained from him a warrant for the immediate delivery of the papers. The commissary construed such conduct into contempt of the authority of the Bishop of London; and forthwith ordered his procurator of office to prosecute the clergyman. Thus commenced the contest, and as both parties were firm and fearless, it appeared likely to be carried on to a ruinous conclusion. The governor, and the clergy generally thought the commissary was in the wrong, and the latter, at the instigation of the governor, so represented the matter to the bishop. His lordship addressed an admirable letter to Mr. Henderson, who had too much good sense as well as proper Christian feeling, not to feel its force; and he did, at once, all that became him for the restoration of harmony. It was fully restored, the clergy informed the bishop of their entire satisfaction with the commissary, and never afterward was peace interrupted by an eruption of official importance on his part; but to the last, possessing the confidence and affection of his brethren, he laboured for the

benefit of the Church, and was intrusted by the clergy, as we shall presently see, with a secret and important commission of great delicacy, which he executed with equal address and prudence.¹

The records of this visitation show also the revival of discipline in the case of the clergy. We find one of them officially informed by the commissary of complaints made against him, and preliminaries entered into for the investigation and correction of his misconduct.

The circumstances just related of Mr. Henderson's unfortunate dispute with one of the clergy produced among other unpleasant results, an alienation between the governor and the commissary, which lasted during the continuance of the former in the province. They had once been warm friends, and this as usual, in such cases, only gave increased strength to their mutual resentment. It was the more unfortunate, because, as the governor continued on very good terms with the other commissary, it incidentally affected the relation, in which the two representatives of the bishop stood to each other: a coldness and suspicion insensibly grew up between them, which, though never reaching to an open rupture, yet injured in some degree the usefulness of both. Ano-

¹ Maryland MSS. : from archives at Fulham.

ther evil effect of Mr. Henderson's course was to strengthen the already existing prejudice against any exercise of ecclesiastical power in the province, by the Bishop of London. The enemies of such power gladly availed themselves of the high handed measures of the commissary on the western shore, to infuse into the minds of the people a sense of the danger to their freedom which was likely to follow upon the introduction of ecclesiastical courts; and all who felt that such power might very properly be made to reach the irregularities of their own lives, willingly took counsel of their fears, and joined in the outcry against the tyranny of ecclesiastical domination.

Governor Hart however, notwithstanding his quarrel with Mr. Henderson, still professed, (but, as the offended commissary believed, without sincerity) to have much at heart the interests and prosperity of the Church. It seemed to the governor, (at least so he said,) a matter of no small moment to have the ecclesiastical jurisdiction of the Bishop of London, as exercised in Maryland by his commissaries, distinctly acknowledged by a formal act of the legislature of the province; and for this, among other purposes, he convened the assembly early in 1718. At the same time, he summoned all the clergy to meet in Annapolis.

At this meeting, the governor addressed the clergy, and informing them that "the constitution

of the province" presented difficulties to the efficient exercise of the jurisdiction of the bishop, he recommended to them to make an effort with the legislature then in session, to have the difficulties removed. He also desired of them to make known to him any other grievances borne by them, calling for redress, and concluded by expressing his regret that "the Jesuits and other popish emissaries" were gaining proselytes.

To this address, the clergy returned a complimentary and grateful answer, leaving it to his excellency to do what he deemed best, and valuable to our purposes, only, because it contains a distinct acknowledgment by the clergy of the increase of "popery."

The governor replied, and gave the clergy to understand, with more explicitness than before, that he expected them to speak plainly concerning the necessity of some legislative sanction to the exercise of the Bishops jurisdiction in Maryland. Upon this hint they spake, and submitted certain proposals as follows: "First, that his lordships jurisdiction and authority be recognized by the assembly. Secondly, that something be allowed for the support and maintenance of a register. Thirdly, that orders be given to the several Sheriffs to serve citations in their respective counties, and to return certificates of their executing of them. Fourthly, that churchwardens may be allowed

their necessary expenses for attending visitations. Fifthly, that a free passage may be allowed to both clergy and churchwardens over rivers and creeks."

We are persuaded for ourselves, that the governor's object was, by compelling the clergy thus to speak, to fortify himself in his recommendation to the legislature of a law for establishing the jurisdiction; and to interpose between himself and the public odium, which he knew would follow the author of so unpopular a measure, the whole body of the clergy. In fact the clergy themselves seem to have been aware of his purpose, and hence most cautiously confined their reply to his first address, to empty compliments. Some of them, at the head of whom, was the clear minded commissary of the western shore, were perfectly satisfied that the legislature would at that time, enact no law to sustain the jurisdiction of the bishop. Commissary Wilkinson, on whom were lavished the blandishments of the governor, naturally inclined to the wishes of his patron, and acted accordingly.

The governor, having, as we have related, provided himself with a shield against censure, recommended to the assembly the purposed law to establish ecclesiastical jurisdiction. In the council or upper house it met with no difficulty; in the lower house it was virtually rejected, by a vote directing it to lie over for consideration by the next legislature. Several of the clergy themselves con-

tributed to produce this result by impressing upon members of the popular branch that the act "was tyrannical, and would be the means of driving people from the Church to the Roman Catholics and Quakers."

Mr. Henderson's views of the impolicy of the application at that time seem to have been built on sound reasons; though he joined in it, lest he might be supposed hostile to the measures, and be so represented, by his enemies, to his diocesan. The truth was, the Bishop had written to both his commissaries on the subject, and left the propriety of making the application entirely to *their discretion*. He could not well do otherwise, but the fact showed that the Bishop himself did not ask for any such law, nor deem it of such fundamental importance as to direct positively that it should be solicited. Wilkinson showed his letter, and thus furnished the opponents of the plan with an argument against it, drawn from the seeming indifference of the Bishop himself. Henderson forewarned Wilkinson of the use that would be made of the Bishops letter, but in vain. The consequences which the former apprehended were thus produced, notwithstanding his strong remonstrances to his fellow commissary. Wilkinson laboured under a mistake in supposing that the influence of the governor was sufficient to force the proposed measure through the assembly; and his

colleague thought the mistake went further still, in supposing that the governor was sincerely desirous of the establishment of the Bishops jurisdiction.

Another ground on which it seemed inexpedient to Mr. Henderson to propose the law, was found in the character of the lower house of assembly. One third of that body consisted of dissenters from the Church, and of the residue, a large proportion were the adherents of the governor, and notoriously averse to the strictness of ecclesiastical discipline. The influence of his excellency was not indeed sufficient to secure a majority for the law, even had he really wished it, but it was strong enough, by a coalition with the dissenters, to make defeat certain.

There was, it must be confessed, an inconsistency in the legislature of Maryland, more striking than strange, when we consider its character. It was common enough to hear from the very men who composed it, as well as from many of the people at large, expressions of alarm at the apprehended increase of Roman Catholics. It was common enough to observe, from time to time, in the legislature, the outbreaks of seeming panic, in some law intended to operate in "the suppression of papacy:" the assembly of 1718 had in this matter performed the accustomed legislative duty: it was common enough, too, to hear these same men, thus exquisitely sensitive to "the growth of

popery," accuse the clergy of the establishment of making more converts to the Church of Rome, by their bad lives, than the Jesuits did by their preaching: and yet they pertinaciously refused to apply a corrective when it was offered to them in the establishment of the bishop's power, in the person of his commissaries.

As to the sincerity of the governor, which, as our readers have seen, Mr. Henderson doubted, we confess that an examination of the records and documents in our possession, has begotten in our minds a suspicion that the commissary judged correctly. We cannot conceive that a governor, really desirous of giving all just ecclesiastical power and respect to the representatives of the bishop, would perseveringly claim and exercise a right which it had been better to leave in ecclesiastical hands; and from the exercise of which, the governor could hope to gain nothing but a personal influence over the clergy. It was surely a mere pretence to express a fear of ecclesiastical tyranny in permitting the commissaries to license lay readers, or to grant dispensations in proper cases for a plurality of livings; yet the governor would never surrender these privileges to the commissaries, but kept them in his own hands. They were engines for the accomplishment of his own objects, if he pleased to make them so; and there

were those in the province who did not hesitate to say, that those objects were obvious enough.

Hart had been governor under the royal authority, before the restoration of the government to the family of Lord Baltimore; he had also acted in the same capacity ever since the renewal of the proprietary rule; and he preferred, of the two modes, that of governing under a commission from the crown. Hence, (as some said,) he was anxious that the proprietary authority should once more be taken away, and rumours were industriously circulated, that Lord Guilford, and his infant ward, Lord Baltimore, were both papists, and consequently the protestant religion was in great danger. Some of the clergy were found, moved by panic, or a sense of dependence on his excellency, (who held all the patronage of the Church,) to give increased currency to these false rumours, and many said that the governor instigated them. It deserves consideration whether the ceaseless legislative fulminations against popery was much more than another stroke of the same policy.

Whether Hart's fidelity was suspected by the proprietary and his friends, we know not, but not long after this period, viz. early in 1620, he ceased to be governor, and was succeeded by Charles Calvert; and a letter of 1718, from Lord Balti-

more to the commissaries, is extant, in which he informs them that he had received information of acts made use of to induce the clergy of the province to believe that he was inclined to encourage the Roman catholics, at their expense ; and he requests the commissaries to make known to the clergy the entire falsehood of the rumour, and to assure them that he had nothing more at heart than the protestant establishment, and that, on his part, no effort should be wanting to encourage and favour the Church of England, as established in Maryland.¹

Scarcely had Hart departed from Maryland before Mr. Commissary Henderson convoked his clergy. He had not before called them together for some time ; indeed, during the latter part of Hart's administration, he was so much opposed by him, that it was not possible to accomplish any thing for the Church ; and it was, beside, dangerous to convene the clergy, because it afforded the governor an opportunity, which he never failed to improve, of endeavouring to unite them in combinations and plans against the commissary.² At this meeting of the clergy, Brook, who, as president of the council, was in charge until the

¹ Maryland MSS. : from archives at Fulham.

² Ibid

arrival of a new governor, took occasion to express his hearty desire to co-operate with the clergy in advancing the interests of the Church; and was at some pains to remove from their minds the unfounded impression, that Lord Baltimore looked with undue favour upon the Church of Rome. The effort appears to have been successful, inasmuch as we find on record a letter from the clergy to his lordship, expressive of their thanks for his kind assurances, and of their confidence in the sincerity of his professed regard for the protestant faith. At this meeting of the clergy, the principal matter determined on was to hold thereafter, annually, a similar meeting.

The administration of Mr. President Brook was of short continuance, and was marked by nothing of unusual interest in the affairs of the Church. He seems to have befriended it while in power; and though an occasional complaint may be found of the increase of Romanism, in the letters sent home by some of the clergy, yet harmony was certainly restored by Hart's removal, and both the commissaries proceeded in their duties, holding visitations, and, to outward appearance, strengthening the Church.

In June, 1720, Charles Calvert assumed the government under authority from the proprietary, and in the commencement of his administration the Church would seem to have been more

favoured by the legislature than usual. We find upon the statute book, an act passed in 1722, reciting in its preamble that many devises of property had been lost to particular churches and parishes, because of technical informalities in wills, and enacting that thenceforth, if the intent of the testator could be fairly collected from the will, all devises of lands for the use of the Church or support of the protestant religion, should be held good notwithstanding no particular church, chapel, parish or person should be designated as devisee, and notwithstanding any ambiguity or uncertainty in the words of the will, and this law was passed at the request of the clergy.¹

The information which we possess of the outward condition of the Church at this time, is more particular than at any previous portion of our narrative. Our manuscripts here afford us, not merely a list of parishes and clergymen, but a full and particular report from the several ministers, made to Dr. Gibson the then Bishop of London, who had just been translated to the see, and who had required of every clergyman in the colonies, written answers to certain queries which he then proposed. From these we shall endeavour to gather such facts of a general nature as serve to illustrate the condition of the Church, in Maryland.

¹ Bacon's Laws of Maryland, 1722. Ch. IV.

The province contained thirty eight parishes in its twelve counties : of these, fifteen were on the eastern, and twenty-three on the western side of the Chesapeake. There was a commissary on each shore, who visited the several Churches once in three years. The clergy were assembled however annually, and on such occasions, their consultations were on the discharge of their ministerial functions alone. The unhappy failure in the assembly, to establish the jurisdiction of the Bishop of London, of which we have already given an account, had only served to beget a belief among the people that Episcopal authority in Maryland, rested on no well founded claim ; and as discipline among the laity had thereby been rendered impossible, the commissaries ceased to require of the Churchwardens presentments of offenders.

Most of the clergy had been settled in the province for many years. There was a minority of such as had held their cures less than ten years ; the greater part had lived in Maryland from ten to twenty years, and about one fifth, had been occupying their fields of labour from twenty to thirty years. Of these, the majority consisted of natives of England ; they were nearly however equalled in number by the Scottish clergy, while Mr. Commissary Henderson, and a few others were Irishmen.

The parishes were all too large in extent of ter-

ritory, but the population was so sparse, that had they been smaller the annual levy of tobacco would not have sustained the clergyman. None were less than nine miles in length, and some were as much as seventy. Assuming the reports made to the Bishop as the basis of our estimate, there would appear to have been between ten and eleven thousand families of Episcopalians in the province, and about three thousand communicants. The sacrament was generally administered not less frequently, than once in two months, and in many of the parishes much oftener. The children were duly catechised for a part of the year at least, in every parish, and the livings of the clergy averaged about £50 sterling which was paid in tobacco.

In addition to these queries, propounded by Bishop Gibson, to the clergy, he also put certain interrogatories to those who had been commissaries under his predecessor, and whose authority had ceased upon his death, and from the answers of Messrs. Wilkinson and Henderson, we gather additional facts, which serve to make more complete the picture of the Church. Thus we find that at an annual meeting of the clergy, upon the western shore, the condition of a vacant parish came under consideration, and the clergy tendered to it their services. These were accepted, and the parish was supplied with regular ministrations

for eight months of the year. The clergy received for this service, one half of the annual income of the parish, and applied it to the support of the orphan of a brother clergyman. Again, in another year, they devoted their earnings thus attained, to the support of two other orphans of the former incumbent of the parish, which they thus supplied. These acts lose none of their kindness when we remember that with families of their own to maintain, the pittance they received was small enough. In the absence of proper ecclesiastical authority, we are not surprised to find another fact which led to the interruption of harmony. Occasional differences would occur between the clergy and their parishioners, touching their respective rights, which there was no power competent to settle, and the misunderstandings thence arising were sometimes never totally removed. For these and other causes, both commissaries earnestly desired that a Bishop might be sent over with as little delay as possible, and it was proposed to give him for his support, the perquisites arising from the commissaries office, for probate of wills and testaments, which it was supposed was worth to the proprietor six hundred pounds.¹

¹ Maryland MSS.: from archives at Fulham.

About this time also, a most extensive plan was devised, for advancing the cause of education in the province. By an act of the legislature, a school was ordered to be established in each county, as near to the centre thereof as was practicable, and visitors were appointed to each ; some one of the clergy being placed at the head of each board of visitors. These several boards were made bodies corporate, each member was bound by oath to the performance of his duty, and the corporations were allowed respectively, to hold real estate to the value of one hundred pounds sterling per annum. One hundred acres of land were to be purchased for each school, and part thereof was to be brought into immediate cultivation, for the use of the master, who was required to be a member of the Church of England, of pious and exemplary life, “and capable of teaching well the grammar, good writing, and mathematics, *if such can conveniently be got ;*” of which latter point, question might doubtless well be made. The salary of each master was to be twenty pounds. Certain moneys which had been collected, and paid over to the treasurer, for the benefit of schools, were directed by the law to be equally distributed among the several boards of visitors ; and a penalty of five hundred pounds of tobacco, for the use of the school, was imposed on every

visiter appointed, who refused to serve.¹ Thus early did Maryland aim at the establishment of something like a common school system; but the effort was probably premature. The scattered state of the population rendered it next to impossible to assemble many of the children at the central school houses of the several counties; and to this day, the same cause presents, in the southern and western part of our country, no trifling obstacle to the general diffusion of knowledge among the young. It was however creditable to the province that the effort was made, and doubtless some benefit resulted from it.

The statute book furnishes us with evidence, that at this time a spirit of toleration was more prevalent than it had been: the Quakers (who do not seem to have been either very numerous or popular) had been disturbed in their religious worship, by the irregular and turbulent conduct of drunken revellers, who found the means of intoxication, dispensed at booths in the immediate vicinity of the meeting houses in which were held the yearly meetings. Upon the complaint of those thus aggrieved, the legislature interposed, and sought, by a penalty, to protect them in the quiet enjoyment of their religious observances.² Indeed,

¹ Bacon's Laws of Maryland, 1723. Ch. XIX.

² Ibid, 1725. Ch. VI.

considering the strong opposition made by the Quakers to the establishment of the Church, there was more forbearance toward them, than the temper of that age would lead us to expect. Their scruples on the subject of oaths were so far respected that, by a law of 1725, their affirmation of allegiance was made a substitute for swearing;¹ and we have not found in our researches any serious grievance, or infringement on their peculiar tenets, unless their contribution in common with every one else, to the support of the establishment, is so considered.

The course of our story has now brought us, to one of the most serious controversies, in which the Church in Maryland was engaged during her ante-revolutionary existence. The quarrel was between the legislature and the clergy, and lasted for several years; with the latter, it was in truth, a struggle for existence. From what cause the clergy had become so unpopular with the assembly, we are not able to say: probably many causes, (some of them too, exceedingly trivial) had combined to produce hostility toward them; and, as it proceeded in its work, it so clearly betrayed its purpose of ruin, that the clergy thought it would be but a vain effort to disarm it; and yielding to

¹ Bacon's Laws, of Maryland, 1725: Ch. XVIII.

the infirmity of human nature, were also too much exasperated to resort to conciliatory measures.

We are happy in being able to state however, on the authority of Governor Calvert, in communications made by him to the Bishop of London, that the profligacy of the order, afforded now but little just ground of complaint against the clergy. There were indeed some bad men among them, but the majority were orderly and exemplary, and almost unanimously attached to the government at home. The governor was therefore their friend; and the only friend they had in power. The most active and virulent enemy they had in the legislature, was Thomas Bordsley. This person was of the profession of the law, and possessed a large share of influence. He was more than suspected of being disaffected to the government, and was diligent in his efforts to make converts among his colleagues. In some of the letters of Governor Calvert, he is charged with having incited some of the members of the lower house, to which he belonged, to treat with contempt the royal prerogative, and also to invade the rights of the lord proprietor. His embittered hatred of the clergy (for such the facts show it to have been,) rested on political, rather than religious considerations. Whatever influence they might possess among the laity, he well knew would be exerted in favour of the ruling powers of England, and

in support of the proprietary government. With the quick observation of a practised politician, he saw that this body of men was not to be slighted or despised. He had learned the lesson which so many demagogues have taught by their conduct, that in the commotions which faction loves to generate, he who has with him the clergy of the land, has no contemptible auxiliary. Cunning readily suggested another lesson; it was this, that when the clergy could not be corrupted, and made to further the plans and purposes of the turbulent, there remained but one course, and that was to ruin them, if possible, and thus destroy their influence. Having failed in the work of corruption, Bordsley was busy in the effort to ruin.

It has already been intimated that a purpose had been declared, by the legislature, of dividing the parishes, and thereby depriving the clergy of a part of their support. There was a plausible pretext for this, in the great extent of cures; but the sparseness of population in those cures, made certain the inability to sustain the clergymen, in the event of division. It was a quiet mode therefore, under a show of zeal for the spiritual instruction of the people, of piously banishing religion from the land, by starving, in one and the same ingenious process, the bodies of the clergy, and the souls of the laity. It was all in vain that the clergy remonstrated and intreated. In order to impress them

with an assurance that the work of division would go on, the assembly commenced with the living of one of the commissaries (Mr. Wilkinson.) This gentleman asked of both houses at least to wait, until the opinion of the Bishop of London had been consulted, and his consent obtained to the purposed division. This was refused. He urged his vested right of property; this was also disregarded, and the severance of the parish was made. The ground was taken by the assembly, that all the revenues of the Church were completely within its power, and subject to its irresponsible control; and consequently, that they might be diminished without any invasion of rights.

It was also now for the first time asserted, that the act of assembly establishing the Church revenues, had never received the royal assent, and was therefore not law. In 1702, forty pounds of tobacco per poll had been fixed as the assessment for the support of the clergy. An effort was now made to reduce it one fourth; and but for the incautious mingling of the measure, with other provisions in the act, affecting the interests of the merchants and officers of the colony, it would probably have been adopted: as it was however, the adoption was delayed but for a time. So that not content with dividing the parishes, the clergy were to be still further affected by a diminution of the revenue remaining after such division.

But this was not all. Another plan of Bordsleys was, (after thus driving from the province all those of the clergy who could not afford to stay and be starved) to diminish the number of ministers, by depriving as many as he could of their gowns. For this purpose, he introduced a bill into the assembly, to establish a species of court for the trial of clergymen, and thus to bring them under a lay jurisdiction. This measure if accomplished, he knew must seal the fate of the clergy. He rested his confident expectations of such a result, upon the passions and prejudices of human nature. Accusers and witnesses would have the strong stimulus of interest, prompting them to escape, in part at least, from taxation for the support of religion, and therefore they were not likely to be wanting; while the judges, destitute of sympathy for an oppressed order, to which they did not belong, would scarcely dare to resist the current of popular opinion. What rendered this effort the more remarkable, was the fact, that it was made without complaint from any parish, or solicitation from the people, that a corrective might be applied to clerical immorality. There were bad clergymen indeed, but according to the statement of the governor as we have said, their number was never less than at this time, and the great majority of the order were leading exemplary lives. The clergy had no possible mode of avoiding this purposed

blow, unless they could find it in the friendship and firmness of the governor. Fortunately for them, he at this time was their friend, and refused to assent to the proposed law, first because the clergy were properly under the ecclesiastical jurisdiction of the Bishop of London; and secondly, because there really were no evils that made such a law necessary.

In the midst of this struggle, the jesuits were not idle. Their numbers had increased, and they not unfrequently challenged the protestant clergy to public doctrinal disputations, such as have often occurred in the history of the Church; and of no one of which can it be truly recorded (as we believe) that it has accomplished any good purpose. Such contests may aggravate hatred, and increase prejudice, but are not apt to advance truth. The clergy of the establishment however did not decline the challenge, and were thus engaged at the same period in carrying on a double war for the defence of spirituals, and temporals.¹

In the latter conflict, they fought bravely against fearful odds. Bordsley, who was the leader of their foes, was "a good hater." He had zeal enough to make the destruction of the clergy his business: and after doing all he could in the legis-

¹ Maryland MSS. : from archives at Fulham.

lature at home, and endeavouring by his letters abroad, to produce unfavourable impressions toward the Maryland church and clergy; he resolved on a voyage to England, that he might there in person carry on the work of extermination which he had begun. Perhaps, he found additional stimulus to his resentment, from the course pursued by the Maryland clergy in a matter which connected itself with his political prejudices; and forms an interesting particular in our early ecclesiastical history.

As is well known to the reader of England's history, certain of the bishops of that kingdom, refused upon the revolution of 1688, to take the oaths to William and Mary. This is not the place in which to inquire whether they erred in judgment: if they did, we must at least say there never was a more honest error, and never did men more fully prove by their conduct the absence of unworthy and selfish motives.

In their loyalty to the house of Stuart, they sacrificed every thing they had. After they were deprived, some of them lived for many years, and they took pains to keep up the succession among those who thought as they did, by conferring the Episcopal power on others. This of course was not done openly. Repeated efforts had been made by the clergy on this continent, from the time that missionaries were first sent, to prevail up-

on the powers at home to furnish resident bishops to these colonies : but all these efforts had proved unavailing. Among the first clergymen sent out by the Venerable Society, was the Rev. John Talbot who in company with the Rev. George Keith (a convert from Quakerism) made a journey of observation, through all the colonies from Massachusetts to South Carolina. When Mr. Keith returned to England to make report to the Society, Mr. Talbot remained and fixed himself at Burlington in New Jersey. In the history of that diocese, his character and deeds will find a conspicuous place ; it is enough for our present purpose to remark, that the society never had, at least in our view, a more honest, fearless, and laborious missionary. No one of all the clergy felt more sensibly than Mr. Talbot, the indispensable need of actual supervision of the American Churches by a bishop : no one wrote oftener to the society on the subject, and in his numerous letters in our possession, there is a manly, direct earnestness and freedom of speech, which carry with them an irresistible conviction of his sincerity, and devoted zeal for the Church. Year after year he represented facts, and prayed that a bishop might be consecrated and sent. At last he despaired of ever seeing one in the colonies. He had now become the oldest missionary on the continent. Suddenly he seems to have called to mind the

nonjuring bishops of England. He asked for and obtained leave to visit his native land. After an absence of two years and a half he returned and was speedily followed by the Rev. Dr. Welton. It was soon whispered that both these gentlemen were in Episcopal orders having been consecrated by the English nonjuring bishops: there is no doubt that such was the fact. Dr. Welton was invited to Christ Church in Philadelphia, and Mr. Talbot still made Burlington his home: both however travelled into the other colonies, and there is direct evidence from the letters of some of the missionaries, that they at least administered confirmation, and wore the robes of a bishop. A matter of this kind would of course alarm both the clergy and civil authority in all the colonies. The nonjurors were disaffected to the reigning power in England, and this startled the State: the clergy were almost to a man loyal to the family on the throne, and they were consequently alarmed. Governors thought the subject of sufficient moment to be presented to the authorities at home, and it was there brought before the privy council. Very soon an order came to Sir William Keith the governor of Pennsylvania, enclosing his majesty's writ of privy seal, addressed to Welton, and commanding him, upon his allegiance forthwith to return to Great Britain: upon the service of this

order Welton sailed for Lisbon.¹ Mr. Talbot at the same time was discharged from the employment of the Venerable Society; and in his answer to the letter dismissing him, it is observable that he intimates his knowledge of the cause, and studiously avoids any contradiction of its existence. Both Talbot and Welton had been in Maryland according to the testimony of some of the clergy of the province, and had there endeavoured to perform Episcopal acts.² It was remarked too that in reading prayers they never prayed for the King and royal family, but for the King and prince.³ Their success in Maryland was but small: they found but one or two of the clergy to acknowledge them; and Bordsley who was disaffected to the throne, lost none of his malevolence on this exhibition of the clergy's loyalty.

Before we take leave of the nonjuring bishops and clergy of America, it is proper to add, that, deriving but little countenance from Episcopalians on any part of the continent, they soon disagreed among themselves, and after this period we hear no more of them. Whatever Episcopal acts (if any) were performed by Mr. Talbot after Dr. Weltons departure, were privately done, and tradition coun-

¹ Pennsylvania MSS.: from records at Fulham.

² Maryland MSS.

³ New Jersey MSS.

tenances the opinion that some such were performed. The venerable prelate who was so long our presiding bishop was accustomed to relate a story which he had heard from his elder brethren, when he was but a youth, and it may here be most appropriately preserved. The story was this. A gentleman who had been ordained among the congregationalists of New England, and who had officiated among them as a minister for many years, at length, to the surprise of his friends, began to express doubts about the validity of his ordination, and manifested no small trouble of mind on the subject. Suddenly, about the time of the arrival of Talbot and Welton, he left home without declaring the place of his destination or purpose of his journey. After an interval of a few weeks he returned, and gave no further information of his movements than that he had been to some of the southern colonies: he also said on his return, that he was now perfectly satisfied with his ordination, and from that day never manifested the least solicitude on the subject, but continued, until he died, to preach to his congregation. It was soon whispered by those, whose curiosity here found materials for its exercise, that the minister had been on a visit to the nonjuring bishops, and obtained ordination from one of them. He never said so; but among Churchmen it was believed that such was the fact, and the circumstance furnished them with

an additional argument in favour of sending over bishops attached to the reigning family. About the time of the alarm created by the episcopal acts of Talbot and Welton, the Rev. Mr. Henderson made an offer to the Venerable Society, which was probably prompted, in part at least, by the fear that a schism might be introduced by the nonjurors, unless the colonial Churches were speedily supplied with the Episcopate by the acting bishops in England. To facilitate such a supply Mr. Henderson proposed to sell to the society, for a sum much below its value, his tract of land, houses and stock, that it might be appropriated to the support of an American bishop. We have not been able to discover that the society ever hearkened to the proposal.¹

¹ Maryland MSS. From the records of the Venerable Society.

CHAPTER VII.

Evil effects of the dispute between the legislature and the clergy—The governor withdraws his support from the latter—Inquiry into the causes that led to the depressed state of the Church—Wish of the Bishop of London to have a bishop consecrated for Maryland—Invites the Rev. Mr. Colebatch to England to be consecrated—He is prevented from leaving the province by a writ of *ne exeat*—Attempt of the assembly to reduce the incomes of the clergy—Law for that purpose—The clergy send Mr. Henderson upon a secret mission to England to oppose the law—his success—Aid afforded by the Venerable Society to Mr. Henderson—The bishop appoints Mr. Henderson sole commissary—He returns to Maryland—Insulted by the laity—Struck by one of them—Is chastised by Mr. Henderson—Personal indignities offered to the clergy—The commissary holds a visitation—Contempt of the governor for the instructions of the proprietary—The assembly re-enacts the law reducing the incomes of the clergy—Remonstrance of the clergy—Contest between Mr. Dulany and Mr. Henderson—Opposition of some of the clergy to discipline—Countenanced in it by the laity—The commissary's difficulties arising from the want of an authenticated copy of his commission—Lord Baltimore violates his promise and opposes the clergy—Indifference of the Bishop of London.

[1726.]

THERE can be no doubt that the disputes between the assembly and clergy, recorded in the last chapter, contributed to retard the growth of pure religion. The contest was peculiarly unfavourable to an increase of piety among the clergy. Instead of looking to an increase of holiness in their flocks and in themselves, they were

seeking to avert their temporal ruin. Engaged in this harrassing controversy, and anticipating probably final defeat, many of them became angry, and gradually lost their interest in the appropriate duties of their function, because they believed that those for whom they laboured, despised them and their instructions, as they certainly manifested but little care for their personal respectability and comfort. Whether the clergy had become much worse than they were, or whether the governor (Benedict Leonard Calvert) had become weary of the controversy, and felt that he could not longer befriend the clergy at the cost of a perpetual quarrel with the legislature, we cannot say; but from some cause or other his former kindness seems now to have been withdrawn, and the clergy were left to fight the battle without aid from any source. Their position therefore was one of peril, and likely to become still worse, because what we have already related was in truth but the beginning of the war, the light skirmishes that preceded harder fighting.

Before we go on with our story, it may be profitable to make a momentary pause, not merely to ascertain the precise relative posture of the combatants, but also to inquire by what singular mismanagement, a Church, established by authority, having within it a majority of the people, and confessedly the best endowed on this continent, should

have been brought into the dangerous condition in which we have seen it. Under the operation of ordinary causes, a Church possessed of the advantages above enumerated, might reasonably have been expected to exhibit at least the picture of seeming stability and much outward prosperity. But the Church of Maryland was not left to the influence of ordinary causes merely. A very strange combination of circumstances existed, which brought in their train measures that could not but prove fatal to her prosperity.

In the first place the nature of the government placed her in a peculiar position. It was *proprietary*; and hence she was brought under an anomalous, mixed kind of jurisdiction, in which the respective rights of the Baron of Baltimore and the Bishop of London, were never accurately defined; and as far as they were understood and acted on, brought these parties into frequent and painful collisions.

Theoretically, the Bishop of London was the diocesan: spiritual jurisdiction therefore, including the important particular of discipline, belonged to him, and the clergy had all been long accustomed so to think. But they were embarrassed because they found that the matter of jurisdiction was in some mode or other in the hands of the proprietor also. Now they saw the bishop consulting Lord Baltimore, and now his Lordship was

consulting the bishop. Delegated ecclesiastical power was ungraciously received by the laity, and met with but little recognition and less respect in the person of the Commissary. At one moment the proprietor would write, and inform the clergy that he valued the establishment and appreciated their attachment to himself: and at another, they would find the governor, representing this same proprietor, opposed to the clergy, forbidding them to assemble in convocation, crippling the efforts of the commissary to administer wholesome discipline, and aiding the foes of the church in the legislature. They were distracted by a divided allegiance, for they knew not precisely where, and to what extent, ecclesiastical power existed. Thus Lord Baltimore selected a clergyman in England, and appointed him to a living; the Bishop of London gave him a license; the Governor of the province inducted him; if he did wrong, the commissary tried him, if there chanced to be a commissary; and when convicted, *no power punished him*; for after induction, even his Lordship, the proprietor could not remove him; and the Bishop of London, nominally his diocesan, could neither give nor take away the meanest living in the province.

Further, the common want of a bishop so sensibly felt, and earnestly represented, from time to time, by the colonies on this continent, was no

where more felt than in Maryland. Had such an officer been present in the province, it is probable the conflicting and imperfectly understood rights of the proprietor and Bishop of London, would all have been quietly conceded to an ecclesiastical superior who should have been on the spot, with the assent of the owner of the province. At any rate, iniquity in the clergy would have been promptly punished, without an interference to prevent it by Lord Baltimore or his governor. In truth it would have been, and his Lordship would have soon found it to be, his interest to sustain the bishop.

It is not wonderful that the clergy, thus secure in their livings after induction, and with but feeble powers over them for punishment when they did wrong, should sometimes exhibit but a sad example to their parishioners. The temptation was too strong for many of those who were sent over ; for while there were always some worthy of their office, it must be remembered that it was too much the fashion to send to all these colonies the refuse of the English clergy, insomuch that our wonder is less that the church in many places did not grow, than it is that it was not utterly extinguished.

It was natural too that the laity should feel aggrieved, by the imposition on them of inducted clergymen, who were a disgrace to the church, and yet were irrevocably fastened upon it. Even

the pious part of the laity might well have felt, under such circumstances, that it was justifiable to adopt some measures among themselves, to remedy the evil if possible, for well might they despair of a remedy from the proper source. They saw different proprietors, contending with different bishops of the see of London, while the true religious interests of the province were suffering. When Bordsley began to agitate, uninfluenced though he was by any good feeling, yet many who were far better men, might have joined his ranks on principles very different from his, in the hope of doing something to better their condition.

They saw no remedy but to legislate directly against the clergy. This exasperated the latter, and as is usual in all such cases, both parties lost sight of their true interest and contended for victory, forgetting that the victory of either was an injury to both. It had been wiser if both had united their forces, and made a loud and ceaseless appeal for a bishop of their own.

It is not difficult therefore we think to find in the system of proprietary government and its consequences, the causes that brought the Maryland Church, though established by law, into conflict with the legislature. It was not established under the proprietary government; it was made the religion of the state during the period when King William had stripped Lord Baltimore of his rights.

While Maryland was a royal province, the establishment prospered as much as could reasonably be expected under the opposition of Romanists and Quakers. The people as we have seen were for the most part attached to it: the legislature, though disposed to correct what was wrong in the clergy, never arrayed itself against it. But upon the restoration of the proprietor in 1715, the causes we have been considering began to develop themselves, and ten years sufficed to exhibit their consequences. Under the royal government, the Bishop of London had some powers, though insufficient for the good government of the clergy; and at any rate, no one molested him in his efforts to establish discipline; he acted by means of his commissaries so well that, during that period, the church certainly presented a better aspect, than at any other. Under the proprietary system, not only was the want of a sufficient controlling power felt, as it had been before, but unhappily all control was in effect restricted or destroyed, because the proprietor possessed under his charter, authority which he exercised, to interfere with the already too imperfect powers of the bishop. As long as no clergyman could have a living in Maryland without Lord Baltimore's assent, as long as the governor had the sole right of induction, on his own or his Lordships presentation, and as long as the legal effect of induction was to fasten

the incumbent on a parish for life, no matter what might be his conduct ; it is perfectly plain that to talk of the jurisdiction of bishop or commissary, was a mere farce. Neither bishop nor commissary could prevent bad men from getting in, punish them while there, or move a finger to get them out.

The people and the legislature therefore, however justly offended with profligate ministers, instead of indiscriminately confounding the good and bad, and blaming all, should rather have blamed his Lordship, and requested of him not to quarrel, as he sometimes did, but to cooperate with the Bishop of London ; not positively to forbid, as he also did, the clergy ever to convene on any account, but to require them to assemble under the commissary, invested with power to make offenders afraid. Perhaps they thought such a request would avail little. If so, they were probably correct, and therefore took the mode of redress into their own hands. Follow out that mode to its remote results, and it is fearful to contemplate. They would so diminish the revenues of the clergy as to starve out of the province those already in it, and prevent the ingress of others ; and thus to rid themselves of some bad clergymen, would voluntarily encounter a total deprivation of the ordinances of christianity. Sad indeed must have been the mismanagement that brought affairs to a crisis like this.

We are now ready to proceed with the history of the painful controversy in which the legislature and clergy, with continually increasing feelings of bitterness, were engaged. As may well be supposed, both sides were sufficiently industrious in sending to England their respective statements. The clergy for the most part, at first made their complaints to their diocesan solely, and implored with unprecedented earnestness, that a bishop might be sent to them with as little delay as possible. They saw no other remedy by which to prevent the total ruin of the church in Maryland. It may however well be questioned whether the immediate consecration of a bishop for Maryland, would have now served to allay contention, and restore peace to the troubled church. The time had gone by in which such an event would have accomplished the ends so fondly anticipated. The quarrel had reached a height of mutual and deep seated ill will that forbade the hope of easy reconciliation. The legislature and the laity would probably have refused to receive and acknowledge a bishop sent among them, not, at their request, but at the solicitation of their foes. They would have looked upon him as one committed to the interests of the clergy only, and as far as they were able, they would have restrained the exercise of his official powers.

The Bishop of London probably did not know,

or it may be, disbelieved this, for it would seem, from the correspondence before us, that he made some effort to comply with their request. Among the clergy of Maryland was the Rev. Mr. Colebatch, who is represented by his contemporaries as a most worthy and pious man. To this gentleman, the Bishop of London wrote, inviting him to England that he might there receive consecration, and then return to Maryland as his lordships suffragan. We have not been able, after much research, to discover whether the Bishop acted in this matter under assurances from his majesty that Mr. Colebatch should be consecrated, or whether he hoped to procure the royal assent to the measure, after the arrival of the intended suffragan. The small measure of success that attended the oft repeated attempt from various parts of the continent to induce the authorities at home to send a bishop to America, leads us to adopt the opinion that the bishop had no positive assurance from the crown. Mr. Colebatch however was not permitted to leave Maryland. In a letter from commissary Wilkinson to his lordship of London, we find that a writ of *ne exeat* was sued out, and the courts of the province thus prohibited the departure of Mr. Colebatch.¹

The next step taken by the legislature, was the renewal of the effort to reduce the revenue of the clergy one fourth, by altering the law which gave them forty pounds of tobacco per poll, and making the assessment thirty pounds. The experience of the past had in this matter taught the assembly, a lesson which they remembered, and they were now too wise to encumber the bill with any provisions, that could affect the interests of other officers in the colony, so far as to provoke their opposition. The law purported to be one made, for "improving the staple of tobacco," and prohibited the planting of more than a certain quantity. It was supposed that the diminution in quantity would lead to more careful cultivation of what was planted, and thus render it more valuable in the foreign market, for which it was destined. If such a result followed, and the increased care in culture made a smaller quantity equal in worth to the former large but indifferently cultivated crops; then it is plain that the planter was not made poorer by the process. The increase in price would supply a deficiency in quantity. He was therefore as well able as before to meet the fair demands made upon him for parochial or other purposes. If the object of the law went beyond a mere improvement in quality, and contemplated the prevention of a glut in the market, whereby the price of the commodity would

be reduced; still the planter was not restrained from the cultivation of any other article, and hence, if he were at all provident, was not likely to sustain any diminution of his revenue. His ability therefore to sustain, by his taxes, both the state and the Church was not impaired. Notwithstanding these things however, the law provided that any person bound to pay in tobacco the assessment made by former laws for public levies, parochial charges &c., might, at his option, either pay the whole or any part of such assessment, in money, at the rate of ten shillings per cwt. of tobacco; or, might pay in tobacco, three-fourths of the quantity assessed by the existing laws, in full discharge of the claim: thus forty pounds of tobacco per poll, being the amount due the clergyman, might be discharged, in specie, by the payment of thirty pounds.

Upon the passage of this law by the assembly in 1728, the clergy by private concert among themselves, (for they dared not act openly) resolved to send one of their body to England, to represent in person their grievances, and seek redress of the sovereign authority. There was no other course left for them to take, for they had not in the province a friend in power, and the process was too tardy by correspondence with the Bishop of London. Upon looking among their own body for a

suitable agent to accomplish, with the requisite skill and secrecy, this important and delicate work; their eyes naturally rested on one, who had ever stood foremost as their champion, and whom they all knew to be as fearless as he was persevering. The Rev. Mr. Henderson was intrusted with the commission, and willingly undertook at least to make known in England, in the plainest terms, the suffering state of his brethren. The hopes of all rested on his success; and if he failed in procuring redress for them, he was then authorized to ask of the Venerable Society, to appoint to their vacant missions, as speedily as they could, the Maryland clergy; inasmuch as they were almost unanimous in the desire to find, in the society's employment, an escape from the oppressions under which they were suffering. It was necessary to keep as secret as possible the commission with which Mr. Henderson was intrusted, for they had not forgotten the *ne exeat* that prevented the egress of Mr. Colebatch. The clergy prepared a petition to the king, a representation of their case for the Bishop of London, and another for the Venerable Society, to be carried out by their agent; and he, using the means of which he was possessed to provide himself with funds as far as he could, and shipping such tobacco as he had, very quietly embarked, and was soon on the high seas beyond the reach

of writs to prevent him from going home to tell his story of wrongs.¹

Upon the arrival of Mr. Henderson in London, he found that Lord Baltimore was absent beyond seas, and he could not therefore apply to him. He procured however the presentation of the petition to the king, and addressed himself also to the bishop and Venerable Society. The case as represented on the part of the clergy was a strong one. They represented that the act of religion, as approved by his majesty, had secured to them the forty pounds per poll, but that the law, under pretence of advancing the price of tobacco, by diminishing the quantity cultivated, would inevitably operate to the injury of the clergy, in one of two ways. If they were paid in specie, one fourth of their tobacco was lost to them: and the effect of the provision, giving to the people the choice of paying in money, would be, that if tobacco bore a high price, then the payment would be in money; if on the other hand, the commodity was worth but little, the clergy would be certainly paid in the article itself, though in a diminished quantity, and under the law, at a period too late for an advantageous sale in Maryland, or for shipping to Great Britain. If therefore the staple of the country

¹ Maryland MSS.: from records at Fulham.

rose in value, the clergy would derive no benefit from the prosperity of the community, but would actually be impoverished by a state of general improvement; and if the staple continued to be of small value, they could the less afford to have one fourth of that little taken away.

They further represented, that if the legislature might now commute the payment in specie, to one in money, at the rate of ten shillings per cwt. there was no reason, in principle, why they might not, at any future period, diminish the supposed pecuniary equivalent, and make it five shillings instead of ten, and thus completely deprive the clergy of a maintenance. The experience of Virginia too had shown that, in point of fact, the cultivation of less tobacco had not lessened the amount of wealth derived to the country from its culture: for though the number of plants might be smaller, yet the selection of the most fertile ground, and increased care in cultivation, made the weight of the crop not less, than it was under the former system.

They also urged, that inasmuch as the people, though restricted in planting tobacco, were under no restraint as to the cultivation of other products of the ground; grain, flax, hemp, cotton, hops, and many other articles were then all cultivated in Maryland, and yet of these the clergy could receive nothing, because forty pounds of *tobacco* had

been given them as a *modus* for all tenths, they might otherwise have a right to demand.

Upon the representation of these matters to his majesty in council, they were referred to the Committee on plantation affairs, to consider and make report thereon to the King. While they were engaged in this work, the Lord proprietor arrived in London, and immediately applied to the Committee to have the whole subject referred to him. This was refused, but a report was suspended until his Lordship should have had time fully to investigate the complaints of the clergy, and to determine on the course he would pursue. On a full hearing Lord Baltimore saw fit to dissent from the act commuting and diminishing the payments to be made to the clergy; and to prevent future encroachments on their rights, he sent instructions to his Governor in Maryland, not to consent to any act, the object of which was to diminish the revenues of the clergy, as they had been fixed by the law for the establishment of religion. He also wrote a letter to the clergy, assuring them of his protection, and that he would, on no account, suffer their just rights to be invaded under his authority. This letter was communicated to the governor, and council of State, with what beneficial effects will be seen hereafter.¹

¹ Maryland MSS. : from records at Fulham.

While Mr. Henderson was occupied in bringing the business of his mission to this successful termination, he encountered much vexatious delay from the absence of the proprietor, and many difficulties, not the least of which, was an unexpected disappointment in obtaining funds. In this emergency he applied to the Venerable Society, already in full possession of the facts of his case, and determined to aid the Maryland clergy, though they were not on the list of their missionaries. In truth such was the sympathy of the Society with the clergy, that, as we have reason to believe, it gave his Lordship to understand that if they were driven from his province by this law, the Society would employ, elsewhere on the continent, as many of them as it could, and would hearken to no application from Maryland for missionaries; as thinking, that men who, instead of judiciously labouring to amend defects, had wilfully destroyed a religious establishment like that of his province, had but little claim on the care or benevolence of the Society.

Mr. Henderson asked a loan of money from the Society, to defray the expense of employing gentlemen of the law, and it was readily granted him, on his simple assurance, that when he returned home, he would use his best endeavours with the clergy to have it repaid. He did so, and, poor as the clergy were, they did repay it, and most of

them became also members of the Society, supporting it by their annual contributions.¹

On this visit, Mr. Henderson had also much personal intercourse with the Bishop of London (Dr. Gibson) and availed himself of the opportunity to make fully known, (what his Lordship very imperfectly understood) the true condition of the Church on this continent. Having been invested once more by the bishop with the office of commissary, not however as before, for one side of the bay, but for all Maryland, Mr. Henderson embarked, and reached home safely in the spring of 1730.

The clergy as was naturally to be expected, received him with the most cordial regard; not so however with the laity. Small reason had they to rejoice in his mission. Some of the leaders in the warfare against the Church, had so far spirited the people to resentment, that threats were openly made of mobbing the commissary: but Jacob Henderson was not a man to be frightened by threats or even by blows: for on one occasion soon after his return, he was assailed at the house of a gentleman, by one of that magnanimous class of heroes, who are willing to purchase a reputation for courage, at small risk, by bullying or assaulting a clergyman, whose hands they know are

¹ Maryland MSS. from records of Venerable Society.

tied by his profession, as a minister of the religion of peace. In this instance however the cowardly reptile reckoned without his host. He struck Mr. Henderson, the blow was patiently borne without retaliation : emboldened by a forbearance which he could not understand, and therefore mistook for timidity, he struck him a second time, whereupon he received such a handling, as taught him thereafter, not too hastily to take for granted a deficiency of either courage or strength in a clergyman. Mr. Henderson looked upon the act on his part as one of self defence, and therefore never sought to extenuate or palliate it, but took pains to be himself the first to communicate it to the Bishop of London.¹

In truth, it was a time of such exasperated feeling toward the clergy, that it had not been strange if others had followed the commissary's example, and cooled a courage apt to be most rampant where there was least danger. They had ample provocation. An instance or two will suffice to show it. A layman who had indulged in the most injurious reflections on the clergy in general, and had made very heavy charges against one in particular, was met by the man whom he had thus accused ; and when taxed with his falsehood and

¹ Maryland MSS. : from records at Fulham.

injustice, gave no other satisfaction than that of challenging the injured clergyman to fight, and on his refusal, beat him severely. On another occasion, a dying parishioner sent for the clergyman, and desired to receive the sacrament of the Lord's supper. The minister aware that a quarrel existed between the dying man and his son-in-law, represented to the sick that he should be reconciled to his enemy; he expressed his hearty willingness, and through the agency of the clergyman, peace was restored and he administered the sacrament. A few days afterward, on a visit to the sick man, the clergyman found there the son-in-law; and after all had prayed together, the latter desired the minister to walk with him. Suspecting nothing, he did so, and received for his compliance a very severe beating. His offence was that of having interfered in a domestic quarrel, for so was termed his benevolent interposition as a peacemaker. Amid such scenes, had the clergy assumed for themselves the defence of their own persons we might find some excuse for it (if it needs any) in the fact, that those in authority refused to protect them. There was no law it seems, for the benefit of the clergy. These two assaults of which we have spoken, fully supported as to the facts by affidavits, were made the subject of a general complaint to the governor, by the whole body of the clergy. This gentleman (a young convert from

popery) so far from resenting the indignity offered to the complainants, or taking measures to redress it, threatened a few days afterward, that when he met the commissary he would kick him. When he did meet him however, he stooped to the hypocritical meanness of great seeming friendship and courtesy.¹ He probably remembered the fate of that illustrious sprig of chivalry, who had covered himself with such unfading laurels in a contest with Mr. Henderson; and the recollection, served to temper his valour with that discretion, which a fat coward once termed its "better part."

Invested with the powers of commissary, Mr. Henderson, among the first acts after his return, held visitations both on the eastern and western shores, at which the clergy generally attended. He delivered to them a very sensible, judicious charge, containing many earnest exhortations to holiness of example, and much good advice for their conduct in the difficulties that surrounded them. He was determined too to exert all his powers to get rid of some two or more of the clergy, who had long lived in the province a scandal to the profession, and whose unpunished profligacy encouraged the wickedness of such new comers as were of doubtful morals, and gave

¹ Maryland MSS.: from records at Fulham.

strength to the enemies of the Church. Unfortunately however, these unworthy clergymen were regularly inducted, and beside, possessed property, which, so far as maintenance was concerned, made them completely independent of popular opinion.

At these meetings of the clergy, a letter was prepared to the Bishop of London, thanking him for the assistance he had rendered to Mr. Henderson in his mission, and for his appointment as commissary; and proceeding to set forth a new subject of complaint which is now to be related.

As soon, as the news arrived that Lord Baltimore refused his assent to the law altering the compensation of the clergy, the governor, in utter contempt of his instructions, from the proprietor, not to permit the revenues of the clergy to be disturbed, convened an assembly, and renewed the warfare in another attack.

The clergy, by the refusal of the proprietor to assent to the former law, were entitled under the act to establish religion, still to receive forty pounds of tobacco per poll. The legislature to defeat this, now enacted that one fourth of the forty pounds, might be paid in other products than tobacco, viz. in wheat, barley, indian corn and oats; and to each of these commodities they affixed a value in tobacco, per bushel; thus a bushel of wheat was declared to be equivalent to forty two pounds of tobacco; a bushel of barley was

worth twenty-four pounds &c: and it was said that the true rate of value was by no means attended to, but all the commodities above enumerated, were estimated at more than their real worth in tobacco. This law therefore, while it purported to give to the clergy their forty pounds per poll, in reality, was almost, if not altogether, as oppressive as the former law.

It was against this the clergy protested, and in their letter they invoked once more the aid of the Bishop of London, and intreated him to come to their rescue. They could afford to send no more agents, and without his Lordship's help, they knew not how to find redress. They caused a full statement of their case to be prepared, and transmitted to his Lordship. In this they urged;

First. That this law virtually altered the act establishing religion, which the proprietor had so solemnly promised to support and maintain.

Secondly. That it violated the English constitution, because it deprived subjects of their property without their consent.

Thirdly. That the pretended equivalent in grain, bore no proportion to the tobacco deducted; for the people might pay in either of the kinds of enumerated grain, and some were of very little value, while none were easy to keep. If an equivalent, it was asked, why not let the people keep them and retail them, and pay as before in tobacco;

and if not an equivalent, why force the clergy to take less than their due ?

Fourthly. It forced the clergy to become mere traffickers without even a regular market. They must therefore barter away their grain as best they could, and usually the best exchange to be made of it in Maryland was for rum, which might be sold for money or tobacco. They ventured to hope that the parsonages of the land were not to be made places for the encouragement of drunkards

Fifthly. Physicians, tradesmen, and servants were not under the necessity of receiving any part of their debts or wages in these commodities.

The legislature having addressed the proprietor, desiring him to confirm the act, the clergy, in their case, proceeded to consider and answer the reasons assigned by the legislature in support of their request.

The first reason was that the welfare of the province depended upon the act. To this it was answered that the welfare of a state never could depend on depriving any class of men in it of their rights, and especially when such an act, in its consequences, might subvert a religion already established in it.

Secondly. It was said that the grain allowed would be worth as much money as the tobacco

deducted would command ; this was denied to be true.

Thirdly, it was said that the prices affixed by the act to the different kinds of grain was precisely what creditors were by law obliged to receive it at upon executions, when the debtor could not pay in tobacco. To this it was replied that there was neither reason nor justice in putting the clergy's allowance upon the same ground with desperate debts.¹

But the contest was not between the clergy as a body, and the legislature only. Individuals of both these classes became combatants, and resorted to the press. The whole province was agitated by this dispute. The opinions of eminent lawyers in the neighbouring province of Pennsylvania were sought by the clergy, and things were in that condition that spiritual improvement was out of the question. A gentleman of great eminence at the Maryland bar, (Daniel Dulany) was conspicuous as a writer on the one side, and Mr. Commissary Henderson appeared as his antagonist. It would afford the reader as little pleasure as profit, to be conducted through the details of this war of pamphlets: suffice it to say, that on neither side was there a want of ability, on both there was a lack of moderation.

¹ Maryland MSS.: from records at Fulham.

The clergy probably would have been less disposed to complain of this latter law, had they supposed that the opposition of the legislature to them would go no further : but they feared, as they stated to their diocesan, that this innovation was but designed as a precedent for future assemblies ; and the experience of the past, was certainly sufficient to justify their fears.

Other measures, designed to annoy the Commissary personally, were contemporaneous with the events we have just related. It has been stated that at the visitations Mr. Henderson was determined, if he could, to discipline certain of the most profligate clergy. He accordingly commenced proceedings against them, and his enemies availed themselves of the occasion, to give him all possible trouble. The ground taken was that the commissary had no exemplified copy of the commission of the Bishop of London as diocesan of the colonies ; for it so happened, unfortunately, that Bishop Gibson, of all the prelates of London, was the only one that ever thought such a commission at all necessary, and he had accordingly taken one out in the reign of George I. Of this, Henderson had an authenticated copy ; but George II. was on the throne when the events occurred which we have been relating, and if the bishop ever took a commission from him, the commissary had no exemplification of it. His enemies using the profligate

clergy who were accused, as tools of their resentment, stimulated them not merely to resist the commissary's jurisdiction, but actually induced one to take steps for prosecuting Henderson, and the latter was saved the expense and vexation of this law-suit only by the death of the clergyman, who in a fit of drunkenness fell into the fire and was burned to death. Another, whose life was an outrage on all decency, was sustained by influential laymen, and boldly set the commissary at defiance. Henderson knew him to be rich enough to encounter all necessary expense in his opposition, and did not dare to enter the lists with him. The commissary made a faithful statement of all these circumstances to the bishop; and asked either to have the commission sent as soon as possible, or to be excused from any further efforts to reform the clergy. The commission never came, or rather Mr. Henderson never received it, and there was room for suspicion that letters to him from his diocesan, had been intercepted.¹

Thus proceeded the strife: the governor and legislature in their official capacities, and as individuals also, quarrelling with the clergy: the latter again recriminating, and with increased bitterness, because some of the worthless of their own

¹ Maryland MSS.: from records at Fulham.

order had been enticed by their foes into the ranks of the opposition ; the Quakers and Jesuits looking on the contest with ill concealed satisfaction ; and to put the finishing touch to the troubles and perplexities of the clergy, Lord Baltimore gave his assent to the law, allowing the payment of the forty per poll in grain, notwithstanding his solemn promise not to permit any diminution of the revenues of the Church. Sad times indeed were these for the cause of true religion.

The commissary did not fail to make known to the Bishop of London events as they occurred, and asked whether he should again risk the seas and carry in person the complaints of the clergy to the throne. The bishop gave him no encouragement, probably because, by this time, he found that ultimate defeat was inevitable, and that the success of the clergy could at best, be but temporary, inasmuch as the legislature by perpetually renewing the act, would but call them to fight the battle anew from year to year.

CHAPTER VIII.

Governor Calvert returns home—The proprietary visits Maryland—treats the clergy kindly—Returns, leaving Mr. Ogle governor—Remarkable case of clerical profligacy—Commissary's attempt to correct it—He is threatened with a law suit—Efforts of the Jesuits—Their success—Commissary declines to exercise his powers—Mr. Whitefield visits Maryland—His want of success—Mr. Henderson builds a chapel at his own expense—Increase of dissenters from the Church—Rev. Mr. Bacon's description of the province—Bishop Sherlock's accession to the See of London—Complaints of the clergy to him—Opposition of the Legislature continues—Evils sustained by the Maryland Church from being an establishment—Failure in the English government to do its duty toward the province.

[1731.]

In 1731, ill health compelled Benedict Leonard Calvert, the brother of the proprietor, and governor of the province to return home, not however to the regret of the clergy, for they felt that an enemy had taken his departure. The Roman Catholics had more cause to grieve, than the ministers of the establishment. He was succeeded in September 1731 by Samuel Ogle, who governed the province until the arrival of the proprietor himself in 1732. During Ogle's administration no material change appeared in the aspect of affairs.

The new governor indeed, exhibited no such hostility to the Church as his predecessor had

shown; but still the enmity and ill will between the clergy and certain leaders of the legislature and laity, seem to have been unabated; and if the clergy were more quiet, it was only because they were more hopeless.

The business on which the proprietary came, was the disputed boundary between himself and the Penn family. On this question the clergy took part with Lord Baltimore, and it may be that this circumstance created a mutual cordiality between the parties, such as had been for some time wanting between the governor and the ministers of the establishment.

The proprietary did not indeed relinquish the right, which he supposed was conferred by his charter, to order all matters of church discipline within the boundaries of his province; all the church patronage was in his hands, induction belonged to him and was exercised by himself or his governors alone, and no minister, though licensed by the Bishop of London, could come into Maryland to take a living without his assent. While however he claimed absolute and unlimited authority in all these things, he yet treated the clergy with great kindness. He was especially respectful to Mr. Henderson as the bishop's commissary, and freely permitted him, without any hinderance, to exercise all the powers conferred by his commission from the Bishop of London. He

laboured also to produce a better understanding between the clergy and laity, and to some extent succeeded. Indeed his whole conduct appears, from the representations of the clergy, to have been marked by prudence and kindness towards all. While he was in the province, he allowed no new encroachments on the clergy's rights and revenues, and declared that none such should be made. We think it probable from the testimony before us, that when upon the spot, his Lordship saw matters to be, in some particulars, different from the representations made to him while in England. His opinion was, as we believe, that the clergy had received harsh treatment; but as his object was to conciliate, he judiciously avoided committing himself as a partisan by any public expression of his sentiments, while he so shaped his conduct as to prevent the exhibition of injustice or wrong on either side.

The Penn family then had possession of the three lower counties on the Delaware river, which now constitute the State of Delaware; and the Venerable Society had in them, three missionaries. Lord Baltimore claimed this territory as being within his charter. If he succeeded in the claim, of course they would fall under the laws of his province for the support of the establishment. This fact made no friends for his lordship among the inhabitants of the disputed territory. There

were among them many Quakers, and they had no difficulty in strengthening opposition to his lordship's claim, by exaggerated pictures of the horrors of the forty per poll law as it was termed. They were shocked at the bare thought of being taxed for the support of religion, and therefore yielded to the Pennsylvania interest and became Penn's tenants. To this the Quakers added, what in the eyes of churchmen was the gross insult of boasting, that they possessed an influence at court too mighty for Lord Baltimore, and the established church of Maryland. His lordship probably never thought that his rights of property were in any degree blended with the religious bickerings, and sectarian peculiarities of a few individuals; these were in his view, perhaps, trifles, but such trifles often have more to do than graver considerations in the adjustment of weighty affairs.

Attended by the good wishes of all classes, his lordship returned to England in June 1733, having recommissioned Mr. Ogle as governor. The visit of the proprietary had done much good, and it is due to Mr. Ogle to say, that he was not wanting in efforts to make the benefit lasting. He proceeded harmoniously with the commissary, rather yielding certain points than engaging in a contest to support them, and was very kind in his treatment of the deserving among the clergy. The law by which one fourth of the payment in tobacco had

been commuted for payment in grain, though it did diminish the livings of the clergy, had yet not been as injurious as their fears had led them to anticipate ; and the laity having proved victors in the contest, appeared to be satisfied with their triumph, for the legislature made, at this time, no further laws to affect the clergy.

Upon the testimony of disinterested observers who, totally unconnected with the previous disputes, now for the first time came into the province, we are authorised to say, that the people were generally well disposed toward the church ; and that whenever a parish was blessed with a faithful and industrious clergyman, there was not wanting evidence of piety in the congregation. Certain it is, that some of the established churches were always well filled, and the number of communicants in them was much increased. But there were still some also that sadly languished, for they were cursed in their ministry ; and, shameful to tell, there was no power any where to remove them. The people wished to be made better. We have at this moment under our eye, a truly affecting memorial from the churchwardens and vestry of a parish, now one of the most important in Maryland, addressed to the Commissary, and presenting a list of grievances, such as (Heaven be thanked) no parish in our country would now present in vain.

The clergyman complained of, beside residing out of his parish, had on his own authority, without consulting his parishioners or any one else, introduced as a lay reader, his clerk, a person who had been convicted of felony, and this outcast of a prison read the absolution as if he had been a priest. The incumbent himself, addicted to drunkenness, very seldom came to church, so that the sacrament of the Lord's supper was rarely administered. He positively refused at times to visit the sick and bury the dead; nor would he allow any of his brethren among the neighbouring clergy to perform his duties though they were willing so to do.¹

The commissary did all in his power; he represented this case to the Bishop of London, and commenced a process by which he hoped to discipline this offender; but he soon found that a lawsuit must be the consequence, for he was threatened with an action because he had not an exemplified copy of the bishops commission for which he had so often asked. If however, he could not remove an offender, he yet could do something to prevent the admission of the unworthy, and in this the governor co-operated with him, for he would refuse sometimes to induct, upon Mr. Henderson's representations of the characters of applicants.²

¹ Maryland MSS.

² Ibid.

The papists did not fail to take advantage of the troubles in the church, of which we have spoken. The number of their priests, most of whom were Jesuits, greatly multiplied, and they had several places of worship in different parts of the province; indeed, in some parts, they were more numerous than the protestants. They flattered themselves that they were about to acquire the ascendancy, as, under the administration of Governor Calvert, many of them had been put into offices of honour and profit which they still retained. Most diligent were the priests also in distributing pamphlets among the people, the object of which was to maintain the Church of Rome; and in all cases when a female of the Romish communion intermarried with a protestant, it was customary to make a previous contract that all the daughters of the marriage should be educated as papists. By thus securing the future mothers of the country, the priests felt that they had very quietly accomplished, what has ever been with them the great end of directing the early education of the country. Their prospects were certainly never more promising than at this time, for in some counties they were, compared with the protestants, in the proportion of three to one: throughout the province however, the latter were the more numerous body.

About this time, the Commissary finding abor-

tive his efforts to procure from England what was necessary for the safe exercise of discipline, and wearied out by constant opposition from some quarters, thought it best not to forfeit the dignity of the Bishop's representative, or forego his self respect, by retaining the mere shadow of power, and thus making episcopal authority a theme of mockery: accordingly he ceased entirely to claim, or exercise any rights as commissary, and left matters to proceed as well as they could under such circumstances. He did right, for few things are more irksome to one who loves order and decency, than to be obliged to look upon flagrant abuses, which he is expected to correct, when all he possesses for that end is an unreal, nominal power, at which offenders laugh. A wise man will never make himself ridiculous by continuing in a position so contemptible. It is commonly supposed that he who possesses power is fond of its exercise, and the governed are but too apt to look with jealousy upon the governor, because human nature dislikes restraint; but he who does rightfully possess power is a fool, if he does not exercise it when necessary, despite the world's jealousy: and whenever it is so crippled as to become a mere shadow, he is a greater fool still, if he does not throw from him, with contempt, the "unreal mockery."

It was lamentable that necessity imposed on Mr. Henderson, the relinquishment of his office; for

the outward circumstances of the church were favourable enough, and it would probably, under better management, have improved in spirituals. There were about thirty six parishes in the province, and the livings would average £200 pounds sterling per annum. No where else in America were they as valuable ; but that plague spot, inability to deprive a man once inducted, still tainted the establishment. Some of the clergy had little or no capacity, some were notoriously immoral ; the devout among the laity were shocked, and the undevout felt contempt for the ministry. The time of quarrel in the church had been, as it always is, the seed time of the devil ; and now came the time of harvest. While some of the congregations under faithful ministrations, walked worthy of their vocation ; fanaticism, deism, and licentiousness still found a wide field in which they worked effectually. One of the oldest and best of the clergy, who spent most of his life in Virginia and Maryland, faithfully represented these things to his bishop and suggested the absolute need of some strict spiritual supervision of the clergy. He proposed divers plans, and cared not which was adopted, provided the end was accomplished. He suggested either an *effectual* restitution of the bishops delegated jurisdiction to a commissary ; or an exertion of the powers of the proprietary (if under the charter he really possessed them) for discipline ; or

a conjunction of the authority of the bishop and proprietary ; or finally, an act of parliament, or of the provincial legislature ; or in short, any other mode that might seem best to the diocesan.¹ So far as we can discover, his lordship never condescended to notice this and many similar communications.

Thus matters continued until 1740, when Mr. Whitefield made his appearance in Baltimore.² According to his account, there was a sad dearth of piety in Maryland, and he found “a close opposition from some of the Presbyterian clergy,” whom he hence charitably classes with “the seed of the serpent.”³ His stay at this time was short, and he appears to have made no very strong impression, though he writes, “wonderful things our Lord brings to pass in these parts every day.”⁴ One of the most wonderful is, that his extraordinary eloquence did not produce greater effect than it here seems to have done.

All however, we may venture to hope, were not as deficient in piety as Mr. Whitefield supposed. At any rate, while he was zealously employed in travelling over the whole land, seeking means wherewith to build and to support his orphan house

¹ Maryland MSS. Letters of Rev. Hugh Jones to Bishop of London.

² Griffith's Annals, 55.

³ Whitefield's works vol. I. 225.

⁴ Ibid.

viour of some weak, and (I wish I could not say) scandalous brethren lies open to the eyes and understanding of the meanest and most illiterate, furnishes the evil minded among them with a plausible objection to the truth of Christianity, drawn from the open practice of its professed defenders, makes others careless about the knowledge or means of religion, leads many of them into corrupt or at least skeptical principles, and leaves some simple, well-meaning people a prey to the emissaries of the church of Rome, or to the enthusiasm of *New Lights* and other *itinerant* preachers, who not long ago, were very numerous especially in the parts bordering on Pennsylvania. This multiplies the labours and afflictions of the more regular, honest pastors who are grieved to see the kingdom of satan, and separation from the church thus promoted, and their mouths stopped from any reply to such scandalous, notorious matters, as are every day to be objected from that quarter. In this unhappy province where we have no ecclesiastical government, where every clergyman may do what is right in his own eyes, without fear or probability of being called to account, and where some of them are got beyond the consideration even of common decency; vice and immorality, as well as infidelity, must make large advances; and only the appearance of a Bishop, or officer armed with proper powers of suspension, &c. seems

capable of giving a check to their further progress. Lord Baltimore appoints all the clergy in Maryland, and will not consult either with the Bishop of London or the venerable society.”¹

Bishop Gibson of London died in 1748, and was succeeded by Bishop Sherlock. Without meaning to detract from the worth of the first named prelate, we must be permitted to say that his death was not injurious to the Maryland Church. In the latter part of his life, the misunderstanding between himself and the proprietary was so serious that there was no concert of action between them touching the church, and in fact but little communication. This seems to have been very well understood by the clergy of the province, insomuch, that for a considerable period, it would appear that their correspondence with their diocesan ceased, and, as we have seen, upon the renewal, in 1747, of the law depriving them of one fourth of their tobacco, they made no effort to prevent it; it was probably because they knew it would be useless to seek redress through the Bishop, then at variance with the Lord proprietor.

Upon the accession of Bishop Sherlock however, they hoped that friendly relations might once more subsist between the diocesan and proprietary, and

¹ Maryland MSS. from records of Venerable Society.

once more the correspondence of the clergy with the Bishop of London was resumed. They were at first perplexed by the disinclination, and indeed refusal of the Bishop to be troubled with the churches in the plantations. He felt that he had enough to do at home, and was conscientious in his reluctance to undertake what all his predecessors had attempted, to but little purpose. Beside, he thought the colonies of America ought to have their own Bishop, and were more likely to obtain one, if they had not the nominal supervision of one of the English bench. His Lordship however was not long in discovering that if he deserted the church in these poor colonies they would be left utterly destitute: that the question of providing a bishop for them, was made more a matter of state than of religion, and that the church here would be left to languish as long as that policy conciliated the dissenting interest.

The first topic of much moment on which the clergy corresponded with him was "the fatal law" as they termed it of 1747. The period of time for which it had been enacted, drew near its close; and as its end approached, they hoped, with the Bishop's aid, to prevent its renewal. The Baptists, Quakers, and other dissenters from the establishment soon buckled on their armour to defeat if possible the clergy. They wrought upon the legislature, for in that body, old feelings had not entirely

subsided : nor was it strange, for to all former considerations was now added the fact that though the law had for a time diminished the livings of some of the clergy, yet the improved condition of the country, and the increase of inhabitants, had more than compensated the loss, and the livings were not only the best in America, but actually larger than they were before the first law of 1730 (allowing the payment of one fourth in grain instead of tobacco) was passed.

In truth, we cannot altogether sympathize with the clergy in the complaints they now made. We think that had they lost more even than they did, it had been more prudent to submit to the loss, and, by patience and fidelity, seek to bury still deeper in forgetfulness the former unhappy feuds. They were not quiet however, and unfortunately, so many of them were not exemplary, that their agitation of the matter roused the legislature, and thus the vices of the worthless naturally became the theme of remark, and furnished ground of hostility to good and bad alike; for the assembly could not discriminate between them in its work of legislation.

Accordingly, several of the members of the assembly, in both houses, did not hesitate to say that they were prepared to reduce the incomes of the clergy lower still; and yet some were madly disposed to provoke to the exercise of their power

in Georgia; others, confining themselves to the sphere at home in which Providence had placed them, were striving to do good, less conspicuous indeed, but not less real than that which occupied the attention of Mr. Whitefield. The Rev. Mr. Henderson and his wife having, at their own expense, erected a chapel in Queen Ann's Parish, Prince George's County, gave it to the parish, and the legislature at this time made it a chapel of ease.

The parish is still existing, and the chapel, or one in its place, is we believe still standing; the orphan house in Georgia lives only in the recollections of the past. We would not be supposed in this remark to undervalue the pious labours of Mr. Whitefield. He sought to do good, and consecrated to this end an eloquence such as this world has rarely seen: God made him the honored instrument of doing much good. We freely confess that we venerate his memory; but we confess also that we think the peculiar ardour of his own character prevented him from making due allowance for the different temperament of others. He measured their religion too exclusively by the standard of his own empassioned emotions. He forgot that all men could not feel as *Géorge Whitefield* did; none could in all things act like him. He looked to see the wind of the Spirit move only on the wing of the tempest; he listened ever to catch the sound of its mighty rushing; forgetful, that some-

times it floated upon a breath light as the summer's softest breeze. He looked upon the waste places of sin, and felt that grace must come in copious and heavy showers to moisten the barren soil; he knew indeed, but did not always remember, that the parched earth might sometimes gather freshness from the gentle droppings of the dew of heaven. In the letters and journals of George Whitefield, we read nothing with more pain, than his general and often unqualified condemnation of the religion of whole communities, or of such clergymen as did not approve of all his views and actions.

From the period at which we have now arrived, nothing of especial interest occurred in or to the church for several years, with a single exception. It will be remembered that by an act of assembly (passed in 1730) one fourth of the assessment of tobacco made for the payment of the clergy, might be discharged in grain or money at the option of the planters. This law had expired by its own limitation, for it was enacted to be in force but a few years. In 1747 however it was re-enacted, to continue for five years¹ and it cannot with truth be denied that it diminished, as it was designed to do, the incomes of the clergy. Notwithstanding such diminution however, their livings still continued to be the best

¹ Bacon's Laws of Maryland, 1730. Ch. VII.—1747 Ch 1.

on the continent ; and when the law of 1747 was passed, hopeless of defeating it, they made no public and general complaint that we can discover.

Our manuscripts therefore exhibit a picture very similar in its features to that already presented. There was perhaps more outward quiet than there had been ; and as to spirituals, their condition depended upon the different characters of the ministers in the province. Other denominations of protestant christians had found their way into Maryland, and notwithstanding the establishment of the Church of England, were permitted to pursue their course without molestation. There were Presbyterians, Baptists and Methodists, though it is difficult to ascertain with precision the times in which they respectively made their first appearance. Roman Catholics had always been in the province ; the members of the establishment however, were still a body more numerous than all the rest combined.

An extract of a letter from the Rev. Thomas Bacon, the laborious compiler of the Statutes of Maryland, so often referred to by us, will perhaps present the best general view of the religious state of the province at this time. Writing to the Venerable Society, he thus speaks : " Infidelity has indeed arrived to an amazing and shocking growth in these parts. And it is hard to say whether it is more owing to the ignorance of the common peo-

ple, the fancied knowledge of such as have got a little smattering of learning, or the misconduct of too many of the clergy.—Religion among us seems to wear the face of the country ; part moderately cultivated, the greater part, wild and savage. Where diligent, conscientious pastors are seated, there improvement is to be seen in proportion to their time and labours. Where others are fixed, all things appear with a desert aspect, or overrun with an useless growth of weeds and briars, sprung up since the decease of the last laborious husbandman.

Tindal's Christianity, &c. is got into most houses where any body reads, but his confused obscurity, and the want of learning among the generality of our readers, make him of little more service to the cause than to possess them with a conceit that there is something very deep in him against revelation, though they do not understand him. So that few of our real or would be infidels are able to support even a show of argument. They appear most formidable in the way of ridicule, as best suited to their capacities, and most taking with the vulgar ; in which they receive their main strength from "the Independent Whig," a book every where to be met with. But this, with Lord Shaftesbury's politer way of banter, unassisted by the irregularities of the clergy would be of little force. Here indeed they seem to triumph ; and the misbeha-

clerical profligacy to murder the souls of men. And let it not be supposed that dislike of the establishment necessarily implied a dislike of religion : far from it, many doubtless there were who learned to hate christianity because of the clerical vices that fattened on their own hard earnings : but men of sense know full well that there is a wide difference between the religion of Christ and a mere human system of laws that makes it the establishment of a country ; let these laws be but framed and executed with an equitable sense of the people's rights, and there will be less clamour against establishments, and less confounding of them with Christianity.

CHAPTER IX.

Representation of the clergy to Bishop Sherlock—Evils and their remedies—Introduction of French Roman Catholics from Nova Scotia—Hospitality of Maryland—German Lutherans—Tax on bachelors—Further contest between the clergy and laity—Legislative reduction of the salaries of the clergy—Great defect of the establishment—Presbyterians build a church—Dr. Chandler's representation of a part of the Maryland Church—Confirmed by other accounts—Legislature passes a bill subjecting the clergy to lay jurisdiction—Remonstrance of the clergy—The governor refuses his assent to the bill—Accession of Governor Eden, the last proprietary governor—Desire of Maryland Church for an American Episcopate—Clergy forbidden to meet—All the livings in Maryland held by the governor to be *donatives*—Error and evil of this opinion.

[1752.]

WE have said, that it had been wiser in the clergy to be silent about the law of 1747, which was just expiring by its own limitation. Some of the wisest and best among them thought so. In a letter from two of them, addressed to Bishop Sherlock, not a word is said about their livings. Their eyes were fixed on something of more importance in their view. They thus write. "We, ministers of the established Church of England, settled in Maryland, humbly presume hereby to present to your Lordship, the present state thereof in this province, in confidence that your celebrated

piety, learning, and prudence will incline and direct you to the most proper means of redress in matters so immediately under your Lordships inspection as we apprehend the ecclesiastical affairs of the plantations are.

“Your Lordship undoubtedly knows the unhappy difference that subsisted between our late proprietary, and Dr. Gibson, your worthy predecessor, concerning the ordination and licences of the clergy whom he inducted to livings here in his gift as proprietary : the consequence of which has been the presentation of several persons unequal to the sacred function on account of their learning, parts, and scandalous lives ; and what adds greatly to the misfortune is, that our late Commissary being (in a great measure) suspended by the government from the execution of his office, not only priests made of the lowest of the people have been inducted, but, being under no jurisdiction, they have done what seemed good in their own eyes, to the greatest scandal and detriment of our holy religion : for from hence, the Jesuits stationed among us have reaped no small advantage :—from hence enthusiasts and schismatics, rambling up and down the province, seeking whom they may seduce, have too much prevailed on the wavering and ignorant :—from hence, those that sit in the seat of the scorner have proselyted too many to deism :—from hence, many professed members of

our Church have degenerated into luke-warmness by disregard to the doctrines of those whose persons they hold in the utmost contempt:—and from hence, by the vicious examples and indiscreet behaviour of such teachers, too many have been patronized in immoral courses.

“This being the case in many parishes, we doubt not but your Lordship will attempt a regulation, especially at this juncture when we have a proprietary, who, in a kind letter with which he has honored one of our fraternity, has expressed the greatest regard for our established religion in general, and for the clergy in his province in particular: from whence we infer that he will concur with your Lordship in any reasonable proposals for rectifying these momentous affairs: and when they are reduced to their proper channel, we doubt not but your Lordship will caution the other bishops not to interfere; and you will ordain and license none for Maryland but such as are worthy of the holy office; none that are sent from hence but such as produce proper testimonials under the hands and seals of such of our incumbents as your Lordship may appoint for that purpose; with the addition of coercive power over the profligate and refractory brethren, so that we may be no longer a body without a head.”¹

¹ Maryland MSS. : from archives at Fulham.

men who were not without the will to do them this injury.

It had been a long time since the clergy of Maryland had met in a body. The governors had refused to call them together, and there was no commissary to hold visitations. It was perhaps fortunate for them now that such was the case. Had they been convened, it might have tempted the legislature to make severe retaliation on them, as an organized body of unreasonable malecontents; acting individually, the members of assembly saw no more than individual complainants. The letters before us, addressed to Bishop Sherlock, are, none of them from the clergy as a body. They however request of his lordship to interpose with the guardian of the infant Lord Baltimore to prevent any further interference, by legislation, with the Church of Maryland. They also ask for the appointment of commissaries.¹ A most reasonable request was also made, that instructions might be given to the governors to call the clergy together, and allow them the comfort of mutual acquaintance and conference.

The more discreet among the clergy, as we infer from their letters, were less apprehensive of great evil from the continuance of the law of 1747, than they were of the establishment of a principle

¹ Maryland MSS. : from archives at Fulham.

dangerous to the existence of the church. What they feared most was, that in the perpetual fluctuations of opinion in a popular assembly, if the practice obtained of diminishing the livings of the clergy from time to time, it would destroy that stability essential to the existence of a system purporting to be established; and might thus virtually repeal the law giving the support of the state to the Church of England, and in effect banish it from the province. Had the law been expressly repealed, it had doubtless been better for the Church of Maryland than it could be, as matters were. It is true that by virtue of being established, the people were required to support churches and clergy, and this at first view, would seem to give permanency to the institutions of christianity: but the people, at all times reluctant to be taxed for religion, were in this case not the less so, when they found that the church was an establishment no further than in the particular of its support. There was an absence of that reciprocity of interest which common sense told them should exist between the church and those who were taxed to support it. If they gave of their temporal things, they felt that the government, by establishing the church, had fairly come under an implied contract faithfully to take care of their spiritual interests. All necessary appliances to promote that end, the government was therefore bound to provide; if discipline of the

clergy was one, then was it bound to take measures for administering discipline : if the system of religion it had seen fit to establish required an officer of a particular grade to discipline offenders, it was a fraud on the tax payers not to provide that officer. The people looked around among the clergy and saw every man among them doing just what he thought best ;—they sought for a power to protect their spiritual interests by punishing the faithless agents of the government in things spiritual, and they found that power—no where. It was but meagre consolation to the sufferers to tell them that the government was proprietary, and therefore the conflicting claims of the proprietor and Bishop of London prevented the application of a remedy for their grievances. And were their pockets then to be picked, and their souls ruined, because the government at home saw fit to leave the Bishop and proprietary to wrangle about their respective rights, when the rights of both combined were not sufficient to redress their grievance ?

The government was not in Lord Baltimore when the Church of Maryland was established by law ; it was in the crown of England ; and when at last, tardy justice restored it to the lawful owner, the crown of England should have remembered that by its act in establishing the church, the people of Maryland, who were to support it, had also acquired rights, and therefore, it should have provided for them

either by the establishment of proper discipline before the restoration of Baltimore, or should have required of his Lordship such a surrender of powers, on his restoration, as would have enabled the Crown to do it afterward. But in fact, the Crown could at any time have redressed the evils of the people, for it could at any time have sent Maryland a bishop. If it had done so, the church would not have been, for so many years, quarrelling with the legislature; the people would not, for so many years, have reluctantly paid their dues to the Church. It should never be forgotten that whenever a government establishes any system of religion, it enters into a solemn contract with the people, that such religion shall, in return for its support, faithfully promote the spiritual welfare of its supporters, and that nothing necessary for that purpose shall be withheld from it. And whenever a government loses sight of this truth, though the injustice may be endured for a time, yet, as sure as that truth and justice are eternal, so sure is it, that the people will at last manifest their sense of injustice, by putting down the establishment. The contest may be a long one, but the victory of the people at last is as certain as it will be righteous. No wonder that such a bastard establishment as that of Maryland was odious to so many of the people; we think their dislike is evidence of their virtue. It deserved to be despised, for it permitted

The evils enumerated in this letter, with the proper remedies for them, were of more importance in the view of the writers than any thing else; and it may even be that, under existing circumstances, they thought the diminished income from livings was scarcely a fit subject of complaint, inasmuch as small revenues offered less temptation to profligate clergymen to seek a residence in the province; and thus the poverty of the church might in some degree supply the want of discipline.

The opposition of a portion of the clergy to the renewal of the act of 1747 proved unavailing, as in 1753 it was re-enacted, to remain in force until the end of 1758.¹

Strange as it may seem, when it is remembered that Roman Catholics were the original settlers of Maryland, yet it is true, that up to this time, no place of worship for the members of the Church of Rome existed in Baltimore. The first church of the establishment in that city (St. Pauls) was not commenced until 1732, and was finished in 1744.² The Romanists were from some cause, less numerous than the Protestants in the first settlement of Baltimore County, and were probably not possessed of means to build a church. In 1755, an expedition was undertaken against Nova

¹ Bacon's Laws of Maryland, 1753. Ch. XXII.

² Griffith's Annals, 21.

Scotia, under the command of Colonel Monckton, with about three thousand troops, chiefly New England men, who were led by their countryman Colonel Winslow. The expedition was successful, and the French forces in Nova Scotia were completely subdued. A question then arose as to the disposition to be made of the French inhabitants. They had called themselves neutrals, but some of them were found in arms, and they had furnished the French with intelligence and supplies. The number of these inhabitants was about seven thousand, and they were in general a mild, pious, industrious and frugal people. A proposal was therefore made to such of them as had not borne arms, to remain in possession of their lands, upon condition that they would take the oath of allegiance to the British government, without qualification: they unanimously refused, and in silence looked on the destruction of their property. It was then determined to distribute them among the several British colonies on the Atlantic coast.¹ A portion of them were sent to Maryland. On their arrival, they were received with a generous hospitality, for it was felt that their treatment had been hard. Some of them were taken into the houses of the inhabitants of the then village of Baltimore (for it was but little

¹Holmes' Annals 59. 60.

more;) others found shelter in the deserted habitation of a Mr. Fotteral, and in that building they, erected a temporary chapel.¹ The legislature kindly came to the aid of these unfortunate refugees, and, by more than one act, caused provision to be made for their support.² Their industry and thrift needed but this encouragement. They soon found means to become proprietors of much of the ground on South Charles Street, in Baltimore, and erected thereon their humble habitations of mud and mortar, which long bore the name of French-Town. For these they gradually substituted more substantial edifices, and on that spot, may still be found many of the descendants of the old French neutrals.³

A few years afterward (1760) another congregation was formed differing from the establishment. This was composed of German Lutherans or Dutch Reformers, who built for themselves a small place of worship in the city, and had their pastor regularly settled.⁴

In 1758, the former law touching commutation in the mode of payment of one fourth of the salaries of the clergy, was renewed, to continue in

¹ Griffith's Annals, 36.

² Bacon's Laws, of Maryland, 1756 : Ch. XV. 1757. Ch. VII.

³ Griffith's Annals, 36.

⁴ Griffith 38.

force until 1763; and, if not quietly acquiesced in, yet caused but little disturbance. Opposition was probably seen to be useless.

There occurs also about this time, the record of a resort to a source of revenue, singular enough to invite a passing notice. In civilized society, there have always been those who seem to have been a little less than charitable toward such of their fellow men as are living in single blessedness. The "Benedicts" of the community are deemed every where a fair mark for the shafts of wit, though they have not every where been punished by taxation. An ancient and honorable fraternity, we confess we see not why they should be punished for exercising freedom of choice. In a country thinly populated however, a pretext will easily be found for visiting with penalties, those who venture to determine for themselves what will most promote their happiness, and therefore live single. It would be a strange and ludicrous revelation, if it were made plain to us, how much they are envied by most of their fellow men who laugh at them. In Maryland, the vestry of Port Tobacco parish, imposed a tax on bachelors, and the assembly confirmed it. It at least indicates the sense of the legislature that it was a *luxury* to have no wife; and that the privilege ought to be paid for. Possibly they had reason: our records are silent on the subject, and therefore we dismiss it.

In 1762, we find the Episcopalians, notwithstanding all unfavourable circumstances, increasing in Baltimore to such an extent, that it became necessary to erect a chapel of ease to St. Paul's, and the parish was taxed for the purpose.¹

Thus proceeded matters, with but little change that we have discovered, until the year 1763; when once more the Church was engaged in a contest. That fruitful source of discontent, the salaries of the clergy, was the cause. In ancient ecclesiastical history, we read of many altercations founded on diversity of opinions as to doctrinal truth; and there is, at least, this to be said of them, that if they were not always marked by a spirit of moderation, they still possessed the redeeming feature, that men honestly thought, for the most part they were contending "for the faith once delivered to the saints." While we approve not therefore in all cases of the spirit of these controversialists, we can yet commend their motives, and dwell with pleasure on the lofty principle that would assert what was believed to be God's truth, at all hazards. We read with pleasure for instance the bold, yet, in our view, modest exclamation, "*Athanasius against the world*;" because (irrespective now of the truth or falsehood of particular views,) it ex-

¹ Griffith's Annals p. 82.

hibits a man who had courage enough to deem the world, and the world's opinions, as just nothing, when weighed in the balance against his honest convictions of the truth of Heaven. But the contests of the Church in Maryland exhibit no such redeeming feature. With but one little exception, (when the protestant clergy took up the gauntlet that had been thrown down by the papists) the quarrel was not for the support of any great truth of Christianity. It was for the support of themselves. Nor were they in this entirely blameworthy. They did not begin the strife, though by their bad lives many of them provoked it. The laity must share with them the responsibility of these frequent contentions, but the heaviest portion of the sin rests on the shoulders of the ungodly blunderers at home, who when they had power to correct, were either too careless to trouble themselves for the honour of God, in a despised and distant province, which they had made, as far as they could, a receptacle of the worthless; or when religion crossed their thoughts merely deemed it an affair of state, and made it accommodate itself to the fluctuating changes of English politics.

In 1763, the legislature reduced the salaries of the clergy one fourth.¹ Heretofore, when they made changes, they professed at least not to dimin-

¹ Bacon's Laws of Maryland, 1763. Ch. XVIII. § 23.

ish the value of the forty pounds of tobacco per poll, though they allowed one fourth of it to be paid in other products: but now they directed that thirty pounds of tobacco per poll should be the whole tax for the support of the clergy. This of course led to complaints on the part of the ministers which were but a repetition of former murmurs; and which without obtaining any redress, served but to widen a breach already more than large enough. In these troubles of the established Church, we find other protestant denominations on the increase, and doubtless had affairs been permitted to proceed to their natural termination without that interruption caused by the American revolution, the time would have come when the singular spectacle would have been presented of the extinction of a Church established by law, while no man could have found in the legislation of the country, a statute expressly depriving it of its character as an establishment. The law that gave it preference would have still stood unrepealed among the early acts of the province; while the history of its downfall might have been traced in the side blows of an indirect legislation that from time to time assailed it. This proves that however good, under some circumstances, an establishment may be supposed to be, it was not adapted to work well in a government so peculiar as was that of Maryland under the proprietary rule; because

it never was a part of the proprietary system; and it also shows we think, that under any system of government, it is a mistake to suppose that an establishment, imperfect in organization, and impure in its clergy, can forever withstand the controlling force of popular opinion. It must to some large extent answer the ends of its creation, or those for whom it was professedly made, will at last destroy it. One or another mode may be resorted to for the accomplishment of the end. That most likely to be adopted will be the division of dioceses, and cures, and the diminution of income; these will probably be the incipient steps, because their tendency to weaken is sure, while from the honest, who would amend and not destroy, they hide the true purpose by a specious pretext of the facilities, they afford to increased spiritual supervision.

The Presbyterians were now able to erect a church in Baltimore. The Roman Catholics also about this time erected their chapel on Saratoga Street, while the established church reared no new edifices for worship.—Indeed it may be doubted whether at this time the legislature would have aided them by a tax for such a purpose.

Mr. Sharpe, who came to the government in 1753, was still in the chair, and during the latter part of his administration, the contest waxed warm between the legislature and people on the one hand, and the clergy on the other. We have be-

fore hinted at the ground of the people's dissatisfaction. They were obliged to pay, in too many cases, for the support of clerical profligacy. We have a picture presented to us of the popular feeling on this subject, by an unexceptionable witness, whose testimony will weigh strongly with American churchmen. Dr. Chandler, so well known at an after period, as an able defender of the Church, chanced about this time to be on a visit to Maryland. Upon his return he thus wrote to the Bishop of London. "I think it my duty to take this opportunity to report to your Lordship, that I found the people on the Southern part of the Eastern Shore, where I spent a fortnight, to be the most sober and orderly, the least vicious, and the most religious, and at the same time the freest from enthusiasm, of any people I have ever met with. There are no Roman Catholics in that part of the province, and but very few dissenters of any sort. The parishes are all large, and the livings are generally worth £300 sterling, some of them are worth £500, and but very few so low as £200.

The general character of the clergy I am sorry to say is most wretchedly bad. It is readily confessed that there are some in the province whose behaviour is unexceptionable and exemplary, but their number seems to be very small in comparison, they appearing here and there, like lights shining in a dark place. It would really my Lord, make

the ears of a sober heathen tingle to hear the stories that were told me by many serious people of several clergymen in the neighbourhood of the parish where I visited: but I still hope that some abatement may fairly be made, on account of the prejudices of those who related them.

The inhabitants look upon themselves to be in a state of the most cruel oppression with regard to ecclesiastical matters. The churches are built and liberally endowed entirely at their expense; yet the proprietor claims the sole right of patronage, and causes induction to be made without any regard to the opinion of the parishioners. Those who are inducted are frequently known to be bad men even at the very time, and others soon show themselves to be so. After induction, there is no remedy, as they cannot be removed, not even by the highest exertion of proprietary power. These are the complaints of *the people*, and I was desired to present them to your Lordship, and to implore your interposition in their favour.”¹

As confirmatory of the strong language used in this letter concerning the clergy, take the history of one of them as furnished to the Bishop of London, by one of the Maryland brethren who was “faithful among the faithless.”—After naming

¹ Maryland MSS.: from archives at Fulham.

the individual who is the subject of his letter he thus proceeds:—"He is a native of Ireland and hath been a good many years in America, where, by his own account, he hath lived a vagrant life, strolling from place to place, through most of the colonies upon the continent. He kept a house of public entertainment for some time at Philadelphia, of no good repute, as I have reason to believe. He was likewise in the army here, particularly at the siege of Louisbourg when he belonged to the train of artillery. The war being over, and strolling about as he had been accustomed to do, he came to Maryland, and was appointed master of the free school of the County of—where I live. Here he married a wife who left him in a few weeks time, apprehending her life to be in danger from his violence. She had much reason, for he is an abandoned drunkard, and when drunk, an outrageous madman. He remained with us five or six months, and having got in debt, left us abruptly, in other words, ran away, and I was in hopes I should hear no more of him forever. Your Lordship will judge what was my surprise and indignation upon receiving a letter from London, informing me that he was in holy orders.

"Such was his conduct before he was ordained, and your Lordship shall hear that his change of character, wrought no change of manners in him. Upon his arrival from England, he officiated in the

parish where he had before resided, and immediately after the service got drunk, and behaved in the most outrageous manner, to the scandal and grief of the friends of the Church of England, and to the triumph of its enemies. He officiated again at Annapolis, the metropolis of this province, when the congregation, as I was well informed, through indignation at his unworthy character, in a good measure deserted the Church. Having made a short stay here, where he met with no countenance, and having prevailed with his wife against the sense of all her friends to accompany him, he went to North Carolina, where together with a parish, he enjoys a small appointment of £20 per annum from the society—how worthily, your Lordship, from this detail, will judge. Your Lordship will please to observe that I write not with any desire to be concealed, but that you are at full liberty to make such use of this letter as you shall judge proper.”¹

We grieve to say that, if we would, we could add to this, similar and unquestionable testimony from other sources; let however, this suffice, for further than truth and honesty demand it at our hands, we confess we have no wish to be the chroniclers of such wickedness.

That the people complained can excite no won-

¹ Maryland MSS.: from archives at Fulham.

der. The legislature but echoed the opinions of the people. They resolved to put an end to all evils within their reach. Accordingly they determined to abolish pluralities as soon as they could; the first great step however, was to punish bad clergymen. For this purpose they framed a bill, authorizing the governor with three of the clergy and three of the laity whom he might, from time to time, select, to exercise a visitatorial jurisdiction over such ministers as might be accused of any notorious and scandalous behaviour. This bill passed both houses of the legislature. The passage of it was the more remarkable in the lower house, because its direct tendency was to throw more power into the hands of the government, and to this, the popular branch of the assembly was commonly opposed. It is therefore strong evidence of the deep sense entertained by that body of the absolute necessity for some corrective of the clergy, when they were willing to purchase it at such a sacrifice. While the bill was yet pending, a portion of the clergy delivered a memorial to the upper house in which they represented, that they could not, in conscience, submit to the jurisdiction in the hands of laymen, because they owed submission elsewhere; that the bill was subversive of the rights of the proprietary, repugnant to sound reason, and the laws of England, destructive to the Church of England in the province, and opposed

to their ordination vows, as they were prepared to show. They readily admitted (for they were among the worthy part of the clergy) that there was the utmost necessity for the enforcement of ecclesiastical jurisdiction, and that some legislation on the subject was required, and offered (should the legislature condescend to confer with and employ them,) gladly to co-operate with that body in framing a bill that could offend no man's conscience. The upper house sent this memorial down to the lower, and in the answer of the latter body, their determination to check the clergy is loudly proclaimed. While they expressed the hope that the larger number of the clergy were faithful, they did not hesitate to say of the residue, that their lives were so unblushingly profligate, that popery, heresy, infidelity, and immorality had no better advocates and friends; and that therefore, they were resolved to perform what they deemed the solemn duty of establishing a judicature that might put a stop to the evil.

The bill as we have said, passed both houses, notwithstanding the memorial of the clergy; but Governor Sharpe refused to give it his consent. It was not however because he did not think it necessary to restrain the clergy. He fully approved of the bill, but thought there was force in the objection that it conflicted with the established principles of the Church of England; and having no

instructions from the proprietor, he feared that if he assented to the bill, his Lordship, in the event of his disapproval, would find in the temper of the legislature and people, great difficulty and embarrassment in declaring his dissent. The governor therefore thought it best to save his Lordship from perplexity, by encountering the popular current himself.¹

Very soon after this, Governor Sharpe was succeeded by Robert Eden, the last of the proprietary governors. When he came into authority, he received instructions from the proprietor, not to permit the clergy on any account to convene. The legislature was still determined to establish a jurisdiction over the clergy, and probably anticipated with confidence, the hearty concurrence of the new governor. This however they would not have obtained without express instructions from the proprietor to Mr. Eden.² And yet the new governor saw as plainly as others did the cause of the evil lives of the clergy, and the need of a remedy. He thus speaks—"at present when a clergyman is inducted, he becomes quite unaccountable and independent; and it seems to be a great solecism in government that a body of men most liberally supported by the people, should be under no kind of

¹ Maryland MSS.: from archives at Fulham.

² Ibid.

control; for let their conduct be ever so flagitious, or contradictory to the ends of their institution, there is no power either of suspension or deprivation.”¹

In a former volume, we have related the history of a concerted action among the Episcopalians of the north to make one more vigorous effort to obtain the Episcopate.² In this work they sought the co-operation of their Southern brethren, and sent a special deputation to them requesting their aid. All the good clergymen of Maryland were disposed to further the measure. They accordingly drew up addresses to his majesty, to the archbishop of Canterbury, the Bishop of London, and Lord Baltimore, praying for an American Episcopate. This was done, it is believed, at the last general meeting the clergy were allowed to hold, before Lord Baltimore issued his mandate forbidding them to convene any more; and it is not improbable that this business led to his Lordship's order. The clergy at the same meeting, addressed the governor upon the subject, and, submitting to him all they had done, prayed his concurrence and interest with the proprietor, to accomplish the measure. His excellency, who it seems was aware

¹ Maryland MSS. : from archives at Fulham.

² History of the Church in Virginia p, 126.

of what the clergy had been doing, conferred with his council; and when the former appeared before him, gave them a very cold reception. He informed them that the livings in Maryland were all *donatives*, and therefore stood in no need of Episcopal supervision.”¹

Here we are furnished with an instance of the unfortunate influence that may be sometimes exercised by the use of a name; and of the trammels sometimes imposed on common sense, by a too rigid adherence to technical precision. According to the English law, an advowson donative is when the King, or any subject, by his license, founds a church or chapel, and ordains that it shall be merely in the gift or disposal of the patron, subject to *his visitation* only, and not to that of the ordinary; and in cases of an advowson donative, there is no need of induction or institution of the incumbent by the bishop, on the presentation of the patron; as is required in advowsons presentative. The chief peculiarity in an advowson donative, it will be seen therefore, consists in the exemption of the incumbent from ordinary ecclesiastical jurisdiction. He cannot be deprived of his living except by the donor of it. Hence, Governor Eden gave the clergy to understand that

¹ Maryland MSS.: from records at Fulham.

a bishop was not required in Maryland, inasmuch as he could not administer discipline. This however was a mistake: for though the bishop might not entirely deprive him, yet according to the English law from an early period, a distinction was very properly taken in cases of advowsons donative, between proceedings to *deprive* the incumbent, and proceedings *for the reformation of his manners*. It was the privilege of the patron or donor alone to do the first; but the parson of a donative was liable to the ecclesiastical jurisdiction, as being a member of the ecclesiastical body, for *personal* offences; though for matters relating to the Church he was exempt, and therefore, though the spiritual court could not *deprive* him, yet for preaching heresy, for drunkenness, or other personal crime, the spiritual court might *censure* or otherwise punish him. It did not therefore follow, that because all the livings were in the gift of Lord Baltimore as advowsons donative, that a bishop in Maryland would have been a mere cipher.

But in truth all this technical nicety was, as we think, misplaced when applied to the province. In the first place, Lord Baltimore did not found, build, or support the churches and chapels, either with or without license from the King. The people built and sustained them. They were not therefore strictly donatives. In the next place,

that which, in the lapse of years, had silently become a part of the ecclesiastical system of England, might there answer a valuable end, and do no harm, because, in the gradual stages of its growth, a remedy of some kind would be applied to defects as they became visible; and care would be taken to prevent advowsons donative from affording impunity to crime. There was a power of deprivation somewhere, and there was a mode of compelling its application. At any rate, that power was on the spot and its bare presence made it a check. But in Maryland, that power was not on the spot, nay, was generally supposed to be nowhere; and beside, the very different and indeed anomalous condition of a new and thinly populated country rendered it an attempt as hopeless as it was ridiculous, wisely to apply every technical rule that had grown with the growth of an old and well established system like that of England. It will not be pretended that avowsons donative were allowed in England, for the purpose of enabling the clergy who possess livings under them to enjoy the privilege of irresponsible wickedness; and yet, no other use was ever made of them in Maryland. Principles were lost sight of; men looked at names rather than things, and a blind reverence for words interposed to prevent a wise application of principles.

Returning from this digression, which we hope

will not be deemed useless, as it tends to show one among the many causes that injured the Maryland Church; we resume our story, in the statement, that the poor clergy who knew much less probably about the law of advowsons donative than they did about the powers which (right or wrong) the proprietary had long exercised over them, took it for granted that his excellency must be correct, and were therefore too much disheartened to proceed further. They did not send their addresses to England. They resolved that they should lie over till that next general meeting of the clergy which was destined never to come.¹

¹ Maryland MSS. : from archives at Fulham.

CHAPTER X.

Influence of political excitement on the Church—History of “the proclamation and vestry act”—Great excitement and controversy produced thereby—Rev. Jonathan Boucher—Sketch of his life and character—Increase of the Methodists—They adhere to the established Church—The Baptists appear—Compromise on the “Vestry act”—Commencement of the American Revolution—State of the Church at that period—One-third of the clergy take part against the Crown—Maryland forms a government for herself—Refusal of some of the clergy to conform—Methodists punished for their attachment to the Church—Mr. Asbury—The christian conduct of some of the Methodist ministers—Legislature at length allows them to preach during the war.

[1770.]

Our story has now brought us to the last great strife that preceded the American revolution, and it is not too much to say that the exasperation of political excitement now mingled itself largely with the hostility of the laity toward the established Church of Maryland. Indeed the quarrel of the people with the Church was intimately associated, in men's minds, with a contemporaneous contest that was purely political. We are now to speak of what was, at that day, familiarly called in Maryland, “*the proclamation and vestry act question.*” Its history is this:

It was ever the custom in Maryland, for the legislature to retain its control over the officers of the province, by regulating the fees they should receive for the performance of their duties. This was done by means of temporary acts, of short duration, on the expiration of which, they could be renewed, modified, or entirely rescinded, at the pleasure of the legislature. In 1763, it will be remembered that an act had passed, to be in force until 1770, by which the income of the clergy had been reduced from forty pounds of tobacco per poll, to thirty pounds. The law that thus affected the clergy was but a clause of a general act "for amending the staple of tobacco" which regulated anew the fees and perquisites of all the officers in the province. Many of the laity were therefore deeply interested in it.

The system was one of long standing in the province. Instead of giving fixed salaries, the fees were regulated as we have stated, and were annually sent out to the several sheriffs for collecting, as were also the taxes for support of the clergy. If these fees and taxes were not paid within a stipulated time they were then to be collected by the sheriffs on a writ of execution against the delinquent. When the law of 1763, expired, it came up as usual for re-enactment. The lower house made objections. These were founded on the exorbitance of some of the fees, on the abuse in

the mode of charging them, by dividing one service into several of those enumerated in the law, with a view to several fees, and on the want of a proper system of commutation in lieu of tobacco payments; that plant being still the currency of the province.—On the subject of a reduction of fees, the two houses came to an irreconcilable disagreement, probably because some of the members of the upper house held the best offices in Maryland. In consequence of this disagreement, the assembly was prorogued, and separated without passing any law to regulate officers' fees, or the incomes of the clergy; and also without any system for the inspection of tobacco, with which the matter of fees had ordinarily been associated by the legislature.

The law of 1763 being thus dead, in the absence of all enactment on these subjects, Governor Eden resolved, under the prerogatives of his office, to regulate the fees by *proclamation*. In this, he re-established the fee bill of 1763, and required the officers to receive their fees in money at the rate of commutation then fixed, if tendered at the time of service. This course was directly opposed to what the lower house had but just refused to sanction: and on the mere authority of the governor, assumed the right of taxation against the known will of the popular representatives. This was precisely the principle to which the people of

the American colonies generally were never disposed patiently to submit. Taxation without the consent of the taxed, was the mother of the American revolution. Strange that Englishmen should not have remembered that the descendants of Englishmen could neither forget nor undervalue the lessons of freedom taught them by their ancestors.

As soon as the proclamation appeared, the great body of the people were roused, and their resistance was most resolute. It was felt that great principles were involved, touching vitally the question, whether they and their children should be any longer freemen. The structure of the government, the relative rights of ruler and ruled, their mutual obligations, the lawfulness of resistance, and many kindred topics underwent searching investigation. The best talents of the province were engaged in this controversy, than which, none more earnest or warmer is to be found in Maryland history; and it is not to be doubted that on the political arena now opened in Maryland, many a mind was taught the use of weapons that were afterward wielded, with irresistible power, upon a broader field, amid the stormy discussions of the revolution.

In this contest on the proclamation, the people triumphed. The first legislature that convened after the publication of the obnoxious document, met in October 1771, when the lower house de-

nounced the proclamation as illegal and oppressive, and boldly asserted the right of taxation to be in the assembly alone. There is a glorious spirit of freedom breathing through the address that was sent up by the lower house to the governor. It availed but little however, for his excellency not only refused to recall the proclamation, but added, that under similar circumstances, he would pursue a similar course. As it was obvious that no compromise could be made, the assembly was again prorogued. In 1773 a new election took place, and by this time, the proclamation had become the all engrossing topic of discussion. The people gave unequivocal evidence of their sentiments, for they elected those only whom they knew to be opposed to the proceedings of the governor.

In the midst of all this warfare on the subject of the proclamation, another contest little less violent was carried on, touching the payment of the clergy, and the two were, to a great degree, identified in the minds of the people. Upon the separation of the legislature, without re-enacting the law of 1763, there was no statute regulating the assessment for the clergy but the old act of 1702, by which the Church was established. Under this law, forty pounds of tobacco per poll was the allowance. Upon the expiration of the act of 1763, the former act of 1702 was revived, and, it made a difference of one-fourth in the incomes of the clergy.

They of course were prompt enough to avail themselves of this advantage, and the people were as prompt to resist them. The ground taken in opposition was that the act of 1702 was a nullity, and therefore not susceptible of confirmation by any subsequent acts founded on its supposed existence. The session of the assembly by which the law was made, met on the 16th day of March 1701-2. King William died on the 8th day of the same month. It was contended therefore that the house of delegates who made the law, having been chosen under writs of election issued in the name of King William, their authority ceased with his life; and that no House of delegates was a lawful one unless chosen under new writs, issued by his successor; consequently (it was said) the act for the establishment of the Church of England in Maryland, though it had been acquiesced in, and acted on for almost seventy years, *never was in truth, law.*

This was taking high and bold ground, and at once made the question at issue, one of the preservation or demolition of the Church as the established religion. It seems strange that in some of the previous conflicts between the clergy and legislature, it had not before been thought of, and resorted to: it had indeed been intimated in 1725, that the act of 1702 never had the royal assent,

¹ Vide ante p. 165.

but it had not been before discovered that the legislature making it, had no authority. The reader will remember that on a previous page,¹ we have recorded the assent of the King to the law, and, on the authority of contemporaries, have stated the very language in which that assent was given. We are not prepared to say whether the objection now made was sustained by facts as alleged. From 1702 until 1725, the want of the royal assent was not heard of, though the Maryland establishment had enemies both numerous and resolute. This creates a presumption against the validity of that part of the objection to the law. As to the want of power in the legislature, it was never intimated until the present time. The issue however was now made, and had not the contest been determined in another mode, by means of the revolutionary war, it can hardly be doubted that this objection would have so far prevailed, as to overthrow the establishment entirely. At any rate it is plain, that after the promulgation of this opinion, the Church was called to fight what, according to the issue, might or might not prove to be her last battle. If vanquished in this field, her cause was lost forever; if victorious, she stood on ground more secure than any she had before oc-

¹ Ante p. 109.

cupied. It was consequently felt on both sides, to be the great, final struggle, and men met it accordingly.

As we have said, political animosity mingled itself with, and gave bitterness to the strife on this question, and men contended with desperation. The point of law involved, purely technical, called forth the best exertions of the ablest jurists on both sides ; for some of the chief officers of the government were among the ablest lawyers, and they supported both the governor's proclamation for their fees, and the clergy's claim for their modus. There were however lawyers not inferior to them, who took the side of the people, and all that professional learning could array, and talents enforce, was lavished on the question.¹ The truth is, the American Revolution had then begun, for it is a mistake to suppose it commenced in the days of Bunker Hill and Lexington. It began before. It had its commencement in the discussions of great principles of government to which men's minds were brought by the agitation of various kindred questions in all these colonies ; and Bunker Hill, and Lexington were but fields for the display of the first overt acts that developed principles of some years standing, for the support of which,

¹ For the history of the proclamation and vestry questions, See McMahon 330, et seq :

these injured colonies had, not hastily, but deliberately, resolved to peril all they had.

The press was busy in spreading before the people the arguments of the respective combatants; and these were not lawyers alone, some of the clergy entered the field, and were second to none in the ability they exhibited. Among these was one so remarkable both for talent and private worth, that we owe a more than passing notice to one of the brightest ornaments of the Maryland clergy. We would therefore pray the readers indulgence while we digress from our story for a time, to speak of the Rev. Jonathan Boucher.

At what time Mr. Boucher came to America we have not the means of ascertaining; it was however before the year 1761, as at that time we find the vestry of Hanover parish in the county of King George, in Virginia, nominating him to the rectorship of the parish before he was yet in orders. Having proceeded to England, and been ordained on the 26th of March 1762; he returned, and took charge of the parish where he remained, until his removal to that of St. Mary's, Caroline County, Virginia. When Sir Robert Eden was appointed Governor of Maryland in 1768, Mr. Boucher was appointed by him, rector of St. Anne's, Annapolis, and afterward of Queen Anne's, Prince George's County, Maryland, from which he was ejected at the breaking out of the revolu-

tion in 1775, and returned to England. In 1784, he was presented to a small living, that of vicar of Epsom in Surrey, without solicitation, by a distinguished scholar who then knew him by his character only. Indeed all the livings Mr. Boucher ever held were freely bestowed on him without request on his part. In 1799 he removed to Carlisle, where he resided until his death in 1804.¹

Mr. Boucher was no ordinary man. Possessed of a very strong mind, highly improved by cultivation, he exhibited the graces of accomplished scholarship, and clothed his thoughts in language alike vigorous and eloquent. His piety was of the good, old fashioned, solid character that exhibited itself in a consistent, christian life: it was the religion that wears well. He was not wanting in zeal and fervour, but he thought more of holiness of conduct than of anything else. We have before us many of his letters written to friends, in the freedom of affectionate confidence, hastily written too; and yet there is not one of them that might not be published just as it is, and do credit to the author's mind. But what is better yet, every one of them would do still greater credit to his heart. It is impossible to read them, and not perceive that the writer was thoroughly an honest man.

¹ Letters furnished the author by James Maury Esq.

He formed his opinions calmly, and expressed them frankly and fearlessly. He was opposed to the Americans in the war of the revolution, he was conscientious in his opposition; it cost him all he had in the world. His property was confiscated, and his person proscribed, and he was obliged to flee for safety. Yet in these letters of which we have spoken, there is a beautiful spirit of candour, and even of kindly feeling toward our country and countrymen. He never lost his interest in either. The Church in America was to the last, near his heart. Strongly attached to the best men among the clergy, he continued his correspondence with them after political convulsions had separated him from them forever. Seabury, Chandler, and White were all his friends; the two former regular correspondents.

When the political horizon began to darken with clouds, Mr. Boucher preached a series of sermons, in which he sought to enforce that course of policy which accorded, in his view, with the christian duty of a citizen. He was too calm an observer for the times, for he blamed both the mother country and the colonies. These sermons he was afterward induced to publish, in England, when the horrors of the French revolution began to startle Europe. They were an argument for good order, and not inappropriate to the period of their appearance. This volume he dedicated to General Washington,

whom he had known, and whose character he could appreciate. It must be confessed he undertook a delicate task. An avowed royalist, it was a difficult work properly to dedicate a book like his, to him who had conducted the armies of his country against royal authority, and afterward administered its government as first president of the United States. He acquitted himself of it with consummate dignity. There is not, within the compass of the English language, any thing in the form of dedication more manly and graceful. It is a model; conveying the sentiments of an honest mind, in the courteous and polished phraseology of a gentleman and scholar, it rises far above the meanness of servility, and yet avoids the vulgarity of rudeness.

The reader will forgive us (for we confess we honour the memory of Jonathan Boucher) if we follow the impulse of our feelings in presenting an extract.—

“It is on these grounds, Sir, that I now presume (and I hope not impertinently) to add my name to the list of those who have dedicated their works to you. One of them, not inconsiderable in fame, from having been your fulsome flatterer, has become your foul calumniator: to such dedicators I am willing to persuade myself I have no resemblance. I bring no incense to your shrine even in a dedication. Having never paid court to you, while you shone in an exalted station, I am not so

weak as to steer my little bark across the Atlantic in search of patronage and preferment ; or so vain as to imagine that now, in the evening of my life, I may yet be warmed by your setting sun. My utmost ambition will be abundantly gratified by your condescending, as a private gentleman in America, to receive with candour and kindness this disinterested testimony of regard from a private clergyman in England. I was once your neighbour and your friend : the unhappy dispute which terminated in the disunion of our respective countries, also broke off our personal connexion : but I never was more than your political enemy ; and every sentiment even of political animosity has, on my part, long ago subsided.

Permit me then to hope, that this tender of renewed amity between us, may be received and regarded as giving some promise of that perfect reconciliation between our two countries which it is the sincere aim of this publication to promote. If, on this topic, there be another wish still nearer to my heart, it is, that you would not think it beneath you to co-operate with so humble an effort to produce that reconciliation.

You have shown great prudence (and, in my estimation, still greater patriotism) in resolving to terminate your days in retirement. To become, however, even at Mount Vernon, a mere private man, by divesting yourself of all public influence,

is not in your power. I hope it is not your wish. Unincumbered with the distracting cares of public life, you may now, by the force of a still powerful example, gradually train the people around you to a love of order and subordination ; and above all, to a love of peace. “ *Hæ tibi erunt artes.*” That you possessed talents eminently well adapted for the high post you lately held, friends and foes have concurred in testifying : be it my pleasing task thus publicly to declare that you carry back to your paternal fields, virtues equally calculated to bloom in the shade. To resemble Cincinnatus is but small praise : be it yours, sir, to enjoy the calm repose and holy serenity of a christian hero ; and may “ *the Lord bless your latter end more than the beginning.*”¹

And how did George Washington receive this ? Was there more than one mode in which such a man as George Washington could receive it ? No. He appreciated at its true worth the respect of a man, who proved that he had independence enough to respect himself. He returned a very handsome letter to Mr. Boucher, thanking him for his dedication, and while he could not approve of every sentiment in the book, he could yet respect in the author “ a man of principle, for whom he entertained no unfriendly sentiments.”²

¹ Boucher's discourses.

² Private letters furnished to the author by James Maury, Esq.

Nothing was more remarkable in the character of Mr. Boucher's mind than the clear vision he seemed to have into the future. It was the result of a habit of reflecting on the past, added to an intimate acquaintance with human nature. Well read in history, he often saw in passing events, that, for which he found a precedent in the records of former ages ; and hence his anticipations of coming events might, to the superficial observer, sometimes almost assume the character of prediction. A striking instance of this is afforded in the preface to his book, where he ventures to mark out the probable course of France, at the time when her revolutionary hell-hounds had just tasted their first drop of human blood, and Napoleon was but a soldier of fortune. He thus speaks : " Of the first born, in direct lineal succession, of a numerous progeny of revolutions, of which that of America promises to be the prolific parent, I mean the revolution of France, I feel I hardly have an heart to speak, being overawed by the enormity of its guilt, and the immensity of the danger with which it threatens the world. Like the ancient legalized banditti of the Highlands of Scotland, the French will probably support their monstrous armies by levying a tribute on all the rest of the world. But vengeance shall at last overtake France. Polybius, in the beginning of his sixth book, observes, that from an attentive review of past events, " it would

be no hard task" to derive some foresight into the future, so that a man may "speak with some assurance concerning those that must hereafter happen." The future state of France, Polybius seems very explicitly to have foretold: there having never yet been a *dominatio plebis*, or popular tyranny, which was not, at last, followed by *the arbitrary government of a single person*. After spreading confusion and desolation all over Europe, and deluging it with blood; after putting back their own country at least a century, checking every valuable improvement in arts and sciences, and miserably diminishing its population; this distracted people will at length find safety and peace once more *in a monarchy*. Their interregnum may be longer or shorter than that of England was; a thousand circumstances, of which no human penetration can take cognizance, may hasten or may protract that happy period: the only conjecture which I presume to offer on the subject, with any confidence, is, that sometime or other *there will assuredly be a restoration*." The man whose keen vision could thus scan events, hidden in the womb of the future, possessed more than ordinary penetration and sagacity.

After Mr. Bouchers return to England, he employed his leisure moments, for more than fourteen years, upon a work of great erudition, and if ever destined to see the light, certain to place him in

the highest rank as a philologist. This was "a glossary of obsolete and provincial words," designed as a supplement to Dr. Johnson's Dictionary, and not unworthy of its companion. Mr. Boucher in a letter to his friend, thus describes his plan. "Many of the elements of our language, though lost elsewhere, appear to me to be preserved in the dialects of our provinces. These have never yet been explored or considered with any tolerable degree either of industry or skill. This is what I am now attempting to do; and accordingly with infinite pains I have collected, a vast mass of terms, in use, only or chiefly, among the peasantry of the remote counties, in the west and north of England; but principally in Scotland. These I illustrate, by quotations from sundry old authors, little known; and from provincial writers; and then trace the term to its source, through many of the windings in the cognate languages of the North of Europe.¹

We know not how far Mr. Boucher proceeded in this work, but have reason to believe he lived long enough to complete it. After his death, the portion allotted to the first letter of the Alphabet was published as a specimen, in the hope that the patronage of the learned might be secured for the

¹ Letters furnished to the author by James Maury Esq.

publication of the whole; and from an attentive study of that specimen, we are led to the expression of our regret that the whole work has never been given to the world. It is a production of immense labour and learning, on which any author might be proud to rest for an enduring reputation. Such a reputation it will be here remembered by those attentive to this department of letters, has subsequently been obtained by a writer who followed in the footsteps of Mr. Boucher.¹

Such was the man whose merits have tempted us to make this digression, because we were unwilling that, on the records of the Maryland Church, no memorial should be found of one whose worth, learning, and piety, did it honour, when so many of the clergy disgraced it.

In the controversy on the Vestry act, in which Mr. Boucher engaged, his essays, published in a news-paper, were of such excellence, that even now, when all interest in the subject is lost, they would be admired as specimens of controversial writing; and one of the historians of Maryland, whose competency to judge entitles his opinions to entire respect, declares him to have been "in intellect, a formidable opponent."²

¹ Dr. Jamieson in his "Etymological Dictionary of the Scottish Language." For the cause of letters we cannot repress the wish that Mr. Boucher's work may yet be published.

² McMahan, 400.

The spirit of the people however, was against him. In many instances, they refused to pay the assessment under the law of 1702. Law suits were the consequence: in several of them the courts decided against the clergy. This warfare on the proclamation and Vestry act, continued to agitate the province until 1773, when it was provisionally settled as we shall see hereafter.

And now appeared the Methodists. Mr. Whitefield had indeed been in Baltimore on his journeyings from one end of the colonies to the other, and doubtless he had his adherents in Maryland, but there was no regular organization of the Methodists before this time. In 1773, Mr. Asbury, associated with several others, formed the members into a regular society, and they built a place of worship.¹ But these were followers of the brothers Wesley, not of Mr. Whitefield. In the succeeding year, such was the increase in their numbers, that they found it necessary to erect a second house for their accommodation; and amid the distractions in the established Church, we cannot question that the more pious of its members attached themselves to these two congregations of the Methodists. They might the more readily do this, as such a course was not understood to imply

¹ Griffith's Annals, 55.

a separation from the Church of England. The first Methodists always claimed to belong to that Church, always resorted to it for the Sacrament. Their preachers were, by themselves, deemed but lay teachers; and until after the revolutionary war, the Methodists of America were considered, both by themselves and others, as but a part of the Church of England. Such in fact they were.

Contemporaneous with the appearance of the Methodists, the Baptists showed themselves, and began to build their place of worship;¹ and thus the province had a reasonable quantum of diversity in religious creeds, commensurate to the demands made by the various opinions of the inhabitants. Church of England men—Roman Catholics, Presbyterians, German Lutherans, Methodists, Baptists and Quakers were all to be found. The first however towered above the rest in wealth and numbers, though below some of them we fear in piety, and were an object of envy and dislike to all, except the Methodists.

In 1773 the much agitated question on the Vestry act was settled by a compromise. While the discussion proceeded, the province was left without any system to regulate the inspection of tobacco, its great staple. Necessity, at last, forced

¹ Griffith's Annals, 55.

the readoption of the public system, to put an end to the regulations of the various private associations that had been formed by the citizens to control the matter of inspection. At the same time, an act was passed by which the poll tax for the clergy was fixed at thirty pounds of tobacco, or four shillings in money, as its equivalent. But it was expressly provided by the act that it should have no influence in determining the validity of the law of 1702. This was left to be settled by future legal decision, and the controversy was therefore only suspended, not terminated.¹ The American revolution however settled it without the intervention of judge or jury.

For that revolution, Maryland, with all the rest of the colonies, was ripe; and when the first blow was struck, it produced in America more of indignation or sorrow, than of surprise. It put an end to quarrels about the comparatively minor affairs of a provincial establishment, and the Church was in some degree lost sight of, in the higher quarrel that involved the liberties of a continent. There were churchmen (and clergymen among them) who could fasten their anxious gaze on nothing but their country; and in the little pause which preceded the coming of the tempest, the brief interval

¹ McMahon's Maryland 400. 1.

in which men laid aside their minor disputes, to look upon the gathering blackness of the cloud that darkening on the horizon, was spreading its heavy folds over the heavens; we too will pause, amid the ominous tranquillity of the times, to show a picture of the Maryland Church on the eve of the revolution. It is necessary, because we shall have to contrast it with another picture, exhibited when that revolution was over.

The province then, was divided into forty-four parishes, of which twenty were on the Eastern, and the residue on the Western shore. To every one of these there was an incumbent, though not always of the purest character. There is evidence at any rate, that some of them looked on a Church living as a mere article of property, from which money was to be made; and as the right of presentation could not be purchased from the proprietor, some of the clergy virtually sold their livings to their brethren. Thus, one would resign in favour of another, upon an express understanding that when the latter was inducted, he should pay annually a part of the stipend to the former, who thereupon quietly sat down in idleness.¹

The livings in some of these parishes were very large. In some instances, they were worth a

¹ Maryland MSS. : from archives at Fulham.

£1000 sterling.¹ From a list now before us, made, after the reduction of the livings one fourth, we find that there were but three under £100, and the residue ranged from that amount up to £500. In no part of America were the clergy half as well supported. They were more clamorous than they should have been on the subject of the law reducing their incomes, so far as mere pecuniary interests were involved. The principle for which they contended was however right. We do not mean to say that the clergy should be paid no more than will barely enable them to live in a very humble mode. Far from it; but we think that in Maryland, if they desired to do good, it had been wiser in them, while they protested against the principle, to have been less clamorous against the reduction of their livings.

In their political sentiments, about one third of the clergy were opposed to the crown, in the revolutionary struggle.² There were good and bad men on both sides.

Such was the state of the Church when the war began. In 1776, Maryland formed a government of her own, and requested Governor Eden to leave the country; on the 26th of June 1776, he did

¹ Eddis Letters from Maryland, 46.

² Maryland MSS.: from archives at Fulham.

leave it, in a vessel sent for him by Lord Dunmore, who was the last royal governor of Virginia, and who had for some time been carrying on a predatory warfare against the people whom once he ruled.

The authorities of Maryland then prescribed a form of prayer for the new instead of the old government. A majority of the ministers of the establishment could not conscientiously use it, nor could they take the oaths to support the new order of affairs. Nonjurors were required to pay a treble tax, or leave the country, and most of the clergy of the establishment, adopting the latter branch of the alternative, the Churches were closed, or used, if at all, for other than religious purposes. The Quakers were noncombatants from principle, and many of them also left the province. The Methodists were looked upon as part of the Church, and shared the odium with which the establishment was visited. Mr. Asbury was apprehended near Baltimore, and fined, not because he had been guilty of any overt act against the new government, but because, he, in common with his brethren, was suspected of loving the Church of England, and therefore of entertaining dangerous political views. He afterward was released, when he crossed the bay, and discontinuing preaching, lived in Delaware for two

years in retirement.¹ Mr. Asbury was almost the only one of the preachers sent over by Mr. Wesley who determined to remain, and brave the trials to which the war might subject him. Fines and imprisonments were not uncommon in the case of the clergy of the establishment, and of the Methodist preachers, who refused to take the oath of allegiance to the United States. The conduct of some of them, when brought before the courts, offers a fine picture of patient endurance for conscience sake. When Mr. Chew, a Methodist preacher, was brought before the Sheriff of one of the counties of Maryland, he was required to take the oath: he replied that scruples of conscience would not permit him to do so. The sheriff then informed him that he was bound by oath to execute the laws, and if he persisted in his refusal, no alternative was left but to commit him to prison. To this the prisoner answered very mildly, that he by no means wished to be the cause of perjury, and therefore was perfectly resigned to bear the penalty. "You are a strange man," said the sheriff. "I cannot bear to punish you, and therefore my own house shall be your prison." He accordingly, formally committed him to his own house, and kept him there three months. At the end of that time the sheriff and his wife were both

¹ Griffith's Annals 76. Drew's Life of Coke 55.

humble christians, and soon after joined the Methodists.¹ The assembly of Maryland, at length becoming satisfied that there was no treason in the preachers, allowed them to exercise their functions without taking the oath of allegiance, and during the residue of the war the few Methodists who remained went abroad, and preached through Maryland.²

¹ Drew's Life of Coke 57.

² Ibid 58.

CHAPTER XI.

Establishment of civil government after the revolution—Declaration of rights—property of Church secured to it—Vestry act of 1779—Legislative effort to organize the Church—Rev. Mr. Keene prevents it—Efforts of clergy toward organization—Opposition from other denominations—Declaration of the “fundamental rights and liberties” of the Maryland Church—Assent of the laity—Bishop’s powers defined—Incorporation of the society for the relief of the widows and children of the clergy—Application for a general law to support christianity—Failure of effort to procure the Episcopate—Government of the Church confided to a superintending and a standing committee—Action of Maryland in the general organization of the Church—Contemporaneous exposition by the Maryland Church of the clause in the general constitution allowing alterations in that instrument—Retains her fundamental articles—Election of Bishop Claggett—Union of Scotch and English Episcopate in his consecration—Bishop’s report of the state of the Church—Ruinous effects of supporting the clergy by voluntary subscription—remedy proposed—Application for amendment of Vestry law of 1779—Discipline.

[1776.]

It was on the third of November 1776, that the state of Maryland, having in common with the other states of the old confederacy, renounced all allegiance to the British Crown, in the prosecution of the work of self government, adopted a “declaration of rights” which has ever since continued as the foundation of her civil institutions.

In this charter religion was not forgotten. It was declared "that as it is the duty of every man to worship God in such manner as he thinks most acceptable to him, all persons professing the Christian religion are equally entitled to protection in their religious liberty ; wherefore no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless under colour of religion, any man shall disturb the good order, peace or safety of the State, or shall infringe the laws of morality, or injure others in their natural, civil, or religious rights." It was further declared that no one ought to be compelled to frequent or maintain the religious worship of any denomination save that which he chose ; but at the same time, it was affirmed that the legislature might, in its discretion, impose a *common and equal tax for the support of the Christian religion in general* ; in such case however, every individual paying the tax was held to possess the right of designating the religious denomination to the support of which it was to be applied ; or he might resolve this legislative support of Christianity in general, into mere almsgiving, and direct his tax to be applied to the maintenance of the poor. The declaration also secured to the Church of England forever, all the glebes, churches, chapels and other property then owned by her, and direct-

ed the repairs of sacred edifices then in progress under former acts still to go on. It forbade all further assessments by vestries for the support of the ministers, and directed that all incumbents of churches who had remained and performed their duty should be paid up to the 1st of November 1776.

The instrument also forbade any gift, sale or devise of property to ecclesiastical uses, unless by consent of the legislature, with an exception however, that allowed a church to take and hold two acres of land for the erection of a house of worship, or for a place of interment.¹

Amid the horrors and privations of the war of the revolution, it was not a time for such of the churchmen as were still left in Maryland, to obtain from the legislature any general provision for the support of Christianity, under the discretionary powers given them by this charter. In the spring of 1779 however, the legislature passed an act to establish select vestries, and vested in them, as trustees, all the property that belonged to their respective parishes while they were a part of the Church of England.² As soon however, as churchmen thought they might make an effort with some hope of success, they did so. Accord-

¹ Kilty's Laws of Maryland

² Kilty's Laws of Maryland. March 1779. ch: IX.

ingly in 1782, a considerable number of the vestries in the State, publicly advertised their design to petition the legislature to make a general provision for the support of Christianity; and hearing no objection made from any source, they presented their application, asking for an act whereby pursuant to the declaration of rights, a common and equal tax might be laid for the support of religion; and praying also that the church-wardens and vestries might, by an assessment on pews, raise money for the repair of the dilapidated church edifices. This application was soon found to be premature. Some of the gentlemen who presented it, finding the public difficulties increasing, signified to the assembly their desire that all further consideration of their request might be postponed to a more auspicious period: and thus this matter remained until the war with the mother country had terminated.

There was, however, another circumstance affecting the Church most deeply, that occurred during the war of the revolution, and that might have led to the most serious consequences. The legislature of Maryland, though composed of gentlemen belonging to various religious denominations, actually took up the subject of organizing the Episcopal Church, and particularly of *appointing ordainers to the ministry*. Had the plan been consummated, there would of course have

soon been no Episcopal Church. A clergyman of great worth, reputation and influence, actuated by laudable ardour, hastened to Annapolis, was heard before the house, in opposition to the proposed measure, and was justly considered as having been chiefly instrumental in producing an abandonment of the plan. This clergyman was the Rev. Samuel Keene, and had his long life of usefulness furnished no other service to the Church than this act presents, this would be sufficient to entitle him to the grateful remembrance of churchmen.¹

The subject of religion was next brought to the notice of the assembly at its session in May 1783, by an address from Governor Paca. In this, after a just tribute to the perseverance and firmness of such of the clergy of all denominations, as had endured sufferings and faithfully discharged their duties, amid the privations of a state of war, he called the attention of the legislature to the provisions of the declaration of rights, and recommended, as among the first objects proper for consideration on the return of peace, an adequate support of the Christian religion.

It so happened that very soon after this address, a number of the clergy were convened at the first commencement of Washington College, when,

¹ Bishop White's memoirs, p. 92.

encouraged by the favourable language of the governor, they availed themselves of their accidental meeting to consult upon the measures most proper to be pursued by them. The questions they discussed were what alterations might be necessary in the liturgy, and how the Church might be organized and secure a succession in the ministry, so as to become an object of support in common with the other Christian denominations in Maryland.

These questions were not free from difficulties. The declaration of rights had secured certain property to "the Church of England" in Maryland, *eo nomine*. The liturgy and ministry of that Church both came from the mother country. If the first were altered, and the latter perpetuated by any but the English Episcopate, a question might then arise, whether the Episcopal Church of Maryland had not thereby ceased to be the ecclesiastical body to which, by the declaration of rights, the property had been secured. After consultation, the clergy determined to apply to the legislature. Accordingly by a memorial and petition to that body, they set forth that to the existence of the Episcopal Church in Maryland, it was indispensably necessary that certain alterations should be made in the liturgy, to adapt it to the change in civil affairs, and next, that some plan of perpetuating the ministry agreeably to the princi-

ples of Episcopalians should be speedily determined on and fixed under the public authority of the State and with the advice and consent of the Episcopal clergy. They therefore prayed that they might have leave to prepare a bill, and lay it before the legislature, to accomplish these purposes. This proceeding, as might have been expected, gave rise to a controversy, and the public prints were resorted to in the discussion. Those who were not of the Church insisted that the application to the assembly was not necessary, and that the real object was to bring the Episcopal Church by some act of legislative recognition and countenance, into union with the State, to the injury of other religious denominations; and the impolicy, and unconstitutional character of the step was argued with great earnestness. Among those most conspicuous in carrying on the contest against the Church was Dr. Patrick Ellison, a presbyterian clergyman of high and deserved repute, who under the signature of Vindex, proved himself to be an able antagonist against Dr. William Smith, the champion of the Church.¹ The petition however was granted, and the clergy were instructed to prepare a bill, to incorporate the Church, and authorise it to hold property to a certain amount, as

¹ Candid animadversions respecting a petition to the late General Assembly of Maryland in behalf of the Episcopal ministers of the same. Baltimore, 1783.

a fund to provide annuities for the widows and orphans of clergymen, and for the purposes of education: and they were directed to report such bill at the session of the assembly to be held in the Spring of 1783.

These proceedings occasioned a meeting of the clergy, which was held in August 1783; for in the spring of that year the expected session of the legislature had not occurred. At this meeting, the proposed law was considered, preparatory to its being reported to the legislature, and the attention of the convention was occupied also in devising some mode for obtaining a succession in the ministry. As connected with this matter, it was deemed proper to set forth on the part of the Church, "a declaration of certain fundamental rights and liberties," to which, under the constitution of Maryland, it was entitled. This document is important on more accounts than one; but is especially deserving of notice from the conclusive evidence it furnishes that the Church of Maryland, like that of Virginia, claimed to have a distinct, independent existence, without reference to any connexion with the Church in any other colony.

"We consider it," (thus speaks the document) "as the undoubted right of the said Protestant Episcopal Church [in Maryland] in common with other Christian Churches under the American revolution, to complete and preserve herself as

an *entire* Church, agreeably to her ancient usages and possessions; and to have the full enjoyment and free exercise of those purely spiritual powers which are essential to the being of every Church or congregation of the faithful, and which being derived only from CHRIST and his *Apostles*, are to be maintained *independent* of every *foreign* or other jurisdiction, so far as may be consistent with the civil rights of society."

The document then proceeds to declare that the Church of Maryland believes, and claims the right, under the constitution of the State, to act on that belief, "that there be these three orders of ministers in CHRIST's Church, Bishops, Priests and Deacons," and that an Episcopal ordination and commission are necessary to the valid administration of the Sacraments, and the due exercise of the ministerial functions in the said Church. Asserting next, the identity of the Protestant Episcopal Church in Maryland with the Church of England formerly established in that province, it avows its title to the property secured to the Church of England by the Bill of rights of that State: and finally declares that it is both the right and duty of the Protestant Episcopalians of Maryland, duly represented in a lawful synod or convention, to alter the liturgy of the parent Church and adapt it to existing circumstances, without any other or further departure than might be found

expedient in the change of the Church of Maryland from a daughter to a sister Church.

This instrument having been signed by all the clergy (eighteen in number) was directed to be presented to the governor with a suitable address.

The convention then taking into consideration the great want of clergymen, appointed (until such time as regular ordinations could be obtained) three clergymen on each shore of the Chesapeake, to examine such young gentlemen as might desire to become candidates for orders, and to recommend them, if worthy, to be employed by vacant parishes as lay readers; while the nearest clergy were desired to perform the appropriate functions of priests in such vacant parishes. The convention, having thus done all that it could toward organizing the Church, adjourned to meet in the Spring of 1784.

The address with the declaration of fundamental rights and liberties, was duly presented to the governor, who in his reply distinctly admitted the right of Episcopalians to declare and enjoy their peculiarities of religious belief and practice, and promised his aid to them in common with all other Christians. The object of the adjournment to the Spring of 1784, was to meet a session of the legislature which it was supposed would be held at that time. It did not however convene; and the

clergy were not again called together until June 1784.

At the meeting in June, all the previous steps we have related were reviewed. This was rendered necessary from the fact that the clergy alone had been the actors in previous conventions. There had been no lay representation from the parishes ; but now some of the laity, at the request of the clergy, were present as representatives from the several churches. Upon this revision, the laity after considering in a separate session, the fundamental declaration set forth by the clergy, reported their unanimous approbation of it as well as of all the previous measures ; and a joint committee of both orders was appointed to devise a system of ecclesiastical government, define the duties of bishops, priests, and deacons, in matters spiritual, the rights and duties both of clergy and laity in conventions, and prescribe some mode of administering discipline to offenders, clerical and lay.

It may seem strange that laymen were employed to define the *spiritual* duties of the ministry. One would suppose that this task belonged more appropriately to the clergy : but it must be remembered that a concession to circumstances was unavoidable in the then posture of affairs. The jealousy of bishops, was a feeling alike strong and common just before, and during the war of the revolution ; and though that war had ended, the

feelings it engendered by no means terminated with it. Beside, the laity of that day could call to mind but too many instances of ministerial unworthiness under the old regime, and therefore, very naturally availed themselves of this favourable opportunity to prevent, if they could, a recurrence of former abuses. The clergy very wisely acquiesced, and indeed had they not done so, the Church, now left almost entirely dependent on the good will of the laity, would not have been organized at all.

This joint committee of clergy and laity, not having time maturely to digest a full plan for the purposes designated, reported only certain leading principles on which they had agreed as essential features in the scheme. These were, that if any person of Maryland should be under the necessity of resorting for consecration as bishop, or for ordination to any foreign authority, and in order to obtain it should be required to take any oath of obedience, civil or canonical, to such foreign authority, he should renounce the same, and take the oath of allegiance to the State of Maryland, before he should be permitted to exercise ministerial functions in any Episcopal Church of that State. Next, the committee affirmed the proposition (originally advanced by Jerome, and almost in his words) that "the duty and office of a bishop differs in nothing from that of other priests, except

in the power of ordination and confirmation, and in the right of precedency in ecclesiastical meetings or synods:" they added, however, that if it should be afterward found expedient to make the office of a bishop something more than this, it might be done by the joint voice of the clergy and laity in convention. The jealousy of the laity to which we have already alluded, is here obvious. Another principle reported by the committee, was, that the clergy should be sole judges of the validity of the ministerial authority and commission claimed in any case; and also of the religious, literary, and moral qualifications of persons to be ordained: while the reception of any person into any parish, was a matter to be determined exclusively by the people of the parish who had on them the duty of his support, and were to be benefitted by his instructions. Finally, it was reported that ecclesiastical conventions of clergy and laity ought to be held at least once a year. To these principles the convention agreed, and then adjourned.¹

The application to the legislature was made by the clergy in the latter part of the year 1784, and resulted in the passage of the act incorporating the Episcopal clergy of the State as a society for the relief of the widows and children of the minis-

¹ An address to the members of the Protestant Episcopal Church in Maryland, &c &c. Baltimore 1774.

ters of the Protestant Episcopal Church in Maryland. By this law the corporation was authorised to acquire and hold property to the yearly value of fifteen thousand dollars.¹ Beyond this act of incorporation however, we find, at this time no other law conferring any benefit on the Church.

It was in this year also that the first regular meeting was held in New York, of representatives from the different colonial Churches for the purpose of forming an ecclesiastical union. Of the origin and history of this meeting a full record is given in the "Memoirs" of our first presiding bishop, and as the matter is one that belongs rather to the whole Church than to any particular portion of it, it is only necessary to our present purpose to say, that Maryland was invited in common with the other colonies to participate in the work of organizing the Church in the United States, and was represented in the meeting at New York by the Rev. Dr. William Smith, who presided at the convention.² From this time forward the Maryland Church bore her part in the formation of our general ecclesiastical system, to which however, we shall refer no further than may be necessary to illustrate her individual history.

In 1786, a convention was held, at which a

¹ Kilty's Laws of Maryland.

² Bishop White's memoirs pp. 21. 80. Second Edition.

committee was appointed to give attention to a petition proposed to be presented to the legislature, for erecting the different religious societies and congregations of the State into bodies corporate. The object in the appointment of this committee was to prevent any encroachment in the law upon the existing rights of vestries under the act of 1779.

The next perfect record we have of the proceedings of the Church is in the meeting of her convention on the 29th of May 1788. Little of moment had occurred in the interval. She had indeed endeavoured to procure the Episcopate but circumstances made the effort unavailing.¹ She had also enacted certain canons, and these were ordered, at the meeting in 1788, to be printed and distributed among all the vestries and congregations in the State. To these we must now direct our attention.

The war of the revolution left the Maryland Church in a state of prostration, though not reduced to as low a condition as were the Churches in some of the other colonies. Some eighteen or twenty clergymen remained when the conflict had closed, and her sacred edifices were, we believe, somewhat less dilapidated than those of Virginia.

¹ *Ex relatione* Bishop White.

One decided advantage we have seen she possessed: the declaration of rights secured to her forever the property she had held as the establishment. Upon her revival, the first great want felt, was that of some one to look after her interests, temporal and spiritual. She had no bishop to oversee the last; it was therefore the especial duty of no one, and if any one assumed the authority, it would of course not be submitted to. The first legislation of the Maryland Church therefore was to establish a governing power of some sort.

The plan adopted was probably, under all the circumstances, the wisest that could be devised. A *superintending committee*, consisting of ten clergymen was appointed, of whom five were to reside on the Eastern, and the other five on the Western shore of the bay. To this committee extensive powers were granted. They were to superintend the concerns of the Church in general, and of parishes and congregations in particular, on their respective shores. To them belonged the sole right of examining and recommending candidates for orders, as well as for a settlement in any parish. They were required to correspond with each other on the common interests and concerns of the Church, and once a year at least, they were directed to meet and prepare a report of their doings to be laid before the convention. And in order to make their supervision more thorough, they

were also required by arrangement among themselves to appropriate to each member of the committee a certain number of parishes for his peculiar superintendence; these he was bound to visit at least twice a year, and on these visits he was to obtain from the vestries all such information as related to the well being of the parishes in temporals and spirituals, and to consult and advise with them on the best measures to be pursued. The Committee were not allowed to recommend any one for ordination who did not produce testimonials of good character, for at least three years immediately preceding the recommendation: nor could any one obtain a settlement in any parish without producing their testimonial.

Beside this superintending committee, it was provided by the canons, that there should be a *standing committee* of five clergymen and five laymen on each shore, to be chosen annually in convention, the clerical members by the clergy and the lay members by the laity. To this body belonged all matters of government and discipline during the recess of convention. Upon complaint made to the president of the convention, the committee was required to meet and investigate the charge, and report the facts to the next convention, when the offender might be punished, provided the sentence did not exceed reproof, suspension or dismissal. It was also required that complaints

against a clergyman should come from his vestry only, but none of his vestry were permitted to sit on the examination or trial of the accused. And thus under the controlling authority of the convention, to these two committees were confided the powers of supervision, government, and discipline in the Church. One other particular only remains to be recorded of the proceedings of the convention of 1788. It relates to the property of the Church. The several vestries were requested to transmit to the convention the amount of glebe lands, and other property, in their respective parishes, together with the annual revenue thence derived; while the clergy were desired to report the amount of subscriptions made for their support, with their receipts and perquisites.

At the meeting of the legislature held in the latter part of the year 1788, the committee that had been appointed by the convention of 1786, to watch over the interests already secured to the vestries, performed that duty; and with the approbation of the representatives of the other religious denominations, who were the principal solicitors of the bill, they procured the insertion of two clauses respecting the rights of the Church. In the first of these was contained a recognition of the identity of the Church of England, named in the declaration of rights, with the Protestant Episcopal Church of Maryland; and of the establishment of

select vestries by the act of 1779, for the preservation of the glebes and other property belonging to the said Church. The clause then enacted that the minister and vestry of every parish should be a body politic, having equal liberty with any other denomination (and without any change of name, or diminution of rights under the law establishing select vestries) to do what any other denomination of Christians might, by law, do for the enlargement and security of their property. The second clause provided for the election of a vestry, at some other time, if by any accident such election was not made on Easter Monday.

This law though reported to the legislature was not acted on in 1788, and at the convention of June 1789, the committee laid it before their constituents by whom it was approved, and the convention then determined to join with the other religious societies in soliciting the passage of the general law of which these clauses formed a part.

We have already alluded to the first meeting held in New-York, by members of the Church in several of the colonies, with a view to a general organization. In September 1785, the second meeting was held in Philadelphia, at which Maryland was fully represented by no less than seven delegates. This body was employed at this session in preparing what was called "the proposed book" of common prayer, and in opening a communication

with the English prelacy on the subject of obtaining the episcopate. In June 1786, and again in October of the same year, was the General Convention called together, further to prosecute the business of obtaining the episcopate from England, and at both these meetings Maryland was represented. At the last-named meeting, the great end in view was accomplished, so far as the American Church was called on to act, by the signing of the testimonials of Doctors Provoost, White, and Griffith, for consecration as bishops.

The other subject that had occupied the attention of the General Convention of 1785, "the proposed book" yet remained to be disposed of. The book had been prepared, printed, and recommended merely to the churches in the several States. It had not yet received their approbation; its use therefore was entirely discretionary. In most of the States it had given rise to much discussion, and, as might have been anticipated, many different opinions were entertained concerning it. The book was now before the several State churches, and it was expected that some final decision would be made at the General Convention to be held in July 1789.

Under these circumstances, the Convention of Maryland, at its session in June 1789, gave instructions to her delegates to the approaching General Convention. She was quite prepared to do so;

for in 1786, the Maryland Church had in effect passed upon the book. In general, she approved of and ratified it. There were, however, some few alterations that she desired, and she accordingly directed her representatives to endeavour to obtain them. Of these, the principal was the insertion of the Nicene Creed. The General Convention held its proposed meeting in July, and adjourned over to September 1789, at which time the questions touching "the proposed book" were settled by the adoption of the Book of Common Prayer, now in use in the Protestant Episcopal Church in the United States.

In 1790, there came before the Church in Maryland for its approval or rejection, the Constitution of the Church General, as it had been revised and recommended by the General Convention of 1789, and as it now substantially remains. The Book of Common Prayer was approved, as was also the Constitution with one exception, important as furnishing a contemporaneous exposition of one clause in that instrument, on which a difference of opinion is known to exist.

The eighth article of the constitution declared that a book of common prayer, articles of religion, &c., "when established by this, or a future General Convention," should be used by the churches in the several States that had adopted the constitution.

The ninth article declared that the constitution

should be “unalterable, unless in General Convention, by the Church in a majority of the States which may have adopted the same; and all alterations shall be first proposed in one General Convention, and made known to the several State Conventions before they shall be finally agreed to, or ratified, in the ensuing General Convention.” The Maryland Church, after a general declaration that the constitution contains nothing at variance with the fundamental articles and doctrines of that Church, thus proceeds:—“But, nevertheless, the eighth clause, by which a power would be vested in a future General Convention, to establish such alterations in our articles of religion as they might think proper for the government of the Church, *without requiring the assent and approbation of the Conventions in the several States*, is exceptionable, and ought not to be admitted without a *proviso*, that such articles, if changed, shall not necessarily be obligatory, unless ratified by *the mode prescribed in the ensuing article of the constitution*.” So that according to the interpretation of the Maryland Church, the *mode of altering the constitution*, was one which made the “*assent and approbation of the Conventions in the several States*” indispensable. If, therefore, a majority of such conventions should dissent, or disapprove of any proposed change, the General

Convention (as the Maryland Church understood the instrument,) had no power to make it.

After this qualified adoption by the Maryland Church of the general constitution, and canons, she next proceeded to review her own canons, and frame her constitution, in such manner, that they might be in harmony with the legislation of the Church at large. But she made no change in her “declaration of certain *fundamental rights and liberties*,” as originally set forth in 1783. She meant to make none. By that instrument she claimed to be a distinct and independent portion of the Church of Christ, with full power to regulate her own internal affairs. She had done so, and she now further regulated them by coming into union with the churches of other States, under a system which surrendered to a general legislature of all the churches, the exclusive right to speak authoritatively to all, on certain subjects. She did not enter into a mere confederation, but she made herself part of an *integer*, she came into *union* on certain terms expressed in the charter of union. As to some purposes, however, she, like the Church in every other diocese, meant to continue independent, and retain the management of her own affairs. Hence she would not touch the declaration of fundamental rights and liberties, but tested the general constitution and canons, before adopting them, by bringing them to that declara-

tion as a standard; and of this standard she expressly declared that it contained “a just and proper avowal of the rights and liberties of the Protestant Episcopal Church of Maryland, and ought to be retained and preserved without alteration, and inviolate forever.”

Having thus become a constituent part of the Protestant Episcopal Church in the United States, and having provided herself with a body of laws for her internal government, it only remained for the Church of Maryland to supply herself with a bishop, to complete her organization. Accordingly she addressed herself without delay to that work, and in the convention of June 1791, it was resolved, at the next annual meeting of that body, to proceed to the election of a bishop, and notice of such intention was given to all the churches. At the convention of May 1792, the members seem to have had no difficulty in making a selection of a bishop; for by an unanimous vote of both orders, the Rev. THOMAS JOHN CLAGGETT, D. D., was elected the first bishop of the Protestant Episcopal Church in Maryland, and his testimonials were signed accordingly. And now the Maryland brethren wisely availed themselves of an opportunity, thus favourably presented, to take a step, the object of which was to remove from the Church at large a source of dissension, and bind together more closely the Churches in all the dio-

ceses into one indissoluble fraternity. The church had at that time four bishops. Of these, one, Bishop Seabury, of Connecticut had received consecration from the Scotch Episcopal Church, while Bishops Provoost, White, and Madison, had obtained their ministerial rank at the hands of the English prelacy. Something approaching to collision between Bishops Seabury and Provoost had arisen, from the unwillingness of the latter to recognize the episcopate of the former. By the judicious interposition and amiable spirit of that wise and good man, Bishop White, this difficulty had been removed, and Bishop Seabury, with the Churches of the Eastern States had come into complete union with their brethren in the other dioceses.

It now occurred to the Maryland Church to prevent thereafter forever, the possibility of a question arising in the American Episcopal Church, on the relative validity of the English and Scotch Episcopate. They wished, if possible, to unite them in the person of their own bishop, (for American Episcopalians generally never held the Episcopacy of the Scottish Church to be less valid and regular than that of England) and thus hoped, in the future successive consecrations of American bishops, so completely to blend the two, that it would be hard to question either, without shaking, at least, the canonical consecration of the whole

Episcopate of the Church in the United States. By an unanimous vote of the Maryland Convention, it was therefore resolved, that *all* the bishops should be requested to join in Dr. Claggett's consecration. This request was complied with, and the Maryland Church accomplished the end it so considerably desired, for not a Bishop has been consecrated since Bishop Claggett, who must not, to make his consecration canonical, claim the succession, in part at least, through the Scottish Episcopate.

Dr. Claggett was duly set apart to his responsible office in September 1792, and thus was completed the organization of the Maryland Episcopal Church. He immediately entered upon the discharge of his duties, and determined to ascertain by close personal observation the exact condition of the Church. This work he could not complete before the beginning of the year 1794, though he met his clergy in convention in the Spring of 1793, and delivered to them a charge. The results of his observation were communicated in his address of the succeeding year. As to temporals, the Bishop found in almost every parish that the patrimony of the Church, slender at best, was sadly neglected. The glebes were permitted to run to waste, most of the parsonage houses were in a state of dilapidation, and the parish libraries, where any such still remained in the hands of the

vestries, had been damaged and diminished. The support of the clergy too was altogether inadequate. The plan that had been usually resorted to was that of voluntary subscription; of all modes of paying the minister, the most precarious. These were decreasing yearly, and even of those that were continued, the payment was not always sure. Many of the clergy had been actually obliged to leave the State, and others had been compelled to resort to secular occupations, more than was agreeable, either to their calling or their inclinations. As to the spirit of piety among the people, there was reason to think it was not on the increase.

Other defects had forced themselves on the Bishop's notice. One related to the very important subject of discipline. By the constitution of the Church in Maryland, no clergyman could be presented for trial but by his own vestry. Such a presentment had never been made, though occasions for it were known to exist. In one most flagrant instance, the vestry had candidly acknowledged to the Bishop that they had neglected their duty, and urged as an apology, that it was a painful task to them to prefer an accusation against their own pastor, while they admitted that religion and the Church had both suffered from their neglect.

One of the evils we have named, it must be remembered was not peculiar to the Church. Other

denominations of Christians had to speak of the removal of clergymen, from the want of competent support. All had resorted to the miserable system of voluntary subscription, and all found the same result. The clergy were starved. It rarely fails to be otherwise, in the congregations of every denomination, situated in the country. In large cities, where the members of a denomination are numerous and come frequently into contact, where money circulates freely, and where a sense of shame or pride stimulates a congregation not to be surpassed by those around it, the evils of the system are doubtless less felt, though they are not there entirely removed. But, out of large towns it cannot but be otherwise, insomuch that very many educated men of all denominations, not deficient in piety and zeal, are actually at this day receiving less support from their congregations than they might earn as day labourers: it was doubtless worse for the clergy at the period of which we are writing. Indeed such was the miserable pittance of ministers of all denominations in Maryland at that time, that there were not wanting some who thought the consequent necessary removal of the clergy, by depriving the people of religious instruction, would lead to such a relaxation of morals, that the legislature, in the declining state of religion, would find cause to interfere, so far as to secure a just and equal provision for the ministers

of all Christian denominations in the State. These however were but the dreams of the over sanguine. Those who had been accustomed to remark the sensitive jealousy with which the civil power, from the time of the revolution, watched, in all the States, every thing indicating, however remotely, an approach to an union with the ecclesiastical affairs of the country, indulged no such visionary expectations.

The convention was not insensible to the Bishop's representations, and resolved upon an address to the members of the Church. The remedy they proposed, upon the suggestion of the Bishop, for the inadequate support of the clergy, was, by renting the pews annually, to obtain a more certain income, and to dispense entirely with the plan of voluntary subscription. This mode of raising revenue suggested itself at an early period in many parts of our country, and now generally prevails in the Church. It is unquestionably preferable to the mode of voluntary subscription, but insufficient support of the clergy yet remains. The subjects embraced in the address were, the great increase of irreligion, the neglect of public worship, the incompetency of the provision for the clergy, the unproductive nature of subscription, the superiority of pew rent, the injured and neglected states of the glebes, the damage done to the parish libraries, and the inadequacy of the

vestry act of 1779, to answer its objects. As to the last named of these evils, it was resolved to apply to the legislature for an amendment of the law.

In the dearth of ministers, it was also made the duty of every candidate for orders, to become a lay reader in some vacant parish, to be designated by the Bishop; and to enforce discipline, it was provided that at every convention, a select committee of four clergymen and two laymen should be chosen by joint ballot of both orders, whose duty it should be, to inquire into any violations of duty by the clergy, and report the same to the Bishop and standing committee, by whom a communication should be immediately opened with the vestry of the offending clergyman, with a view to his presentment and punishment.

The journal of 1795, furnishes us with evidence of no material change in the condition of affairs. It records, however, a case of discipline terminating in the degradation of an unworthy clergyman by the Bishop, after a disavowal of him by the convention. This mode of proceeding was peculiar to Maryland, we believe. Her canon provided, that the standing committee, being duly summoned for that purpose, should examine into the complaint made against a clergyman, and report the facts to the next convention. By that body, composed of clergy and laity, sentence was passed,

and the Bishop was but the organ of the convention in pronouncing the sentence.

We have already placed before the reader, the action of the Church in Maryland, on the general application of all denominations of Christians in the State, for a law to support Christianity. A former convention had considered and approved of the clauses in the proposed law relating to the Episcopal Church, but nothing, it would appear, had yet been done; for in 1795, a committee was appointed to confer with the leading members of other denominations, and join them in a petition to the legislature for the desired law.

CHAPTER XII.

Standing Committee made visitors of the parishes—Measure unpopular and impolitic—Improved prospects of the Church—Bad consequences of the “voluntary system”—Other denominations refuse to join the Church in an application to the legislature—Support of the Bishop—Lay discipline—Memorial of the Convention to the Assembly—Vestry law of 1798—A missionary from Maryland to the frontiers—Clerical discipline—Spoliation of some of the Church edifices—Decision of the courts affecting clerical discipline—Non-attendance at Conventions—Remarks thereon—Publication and distribution of tracts—Voluntary associations of the clergy recommended by the Convention—Observations on such associations—Their existence in the American Episcopal Church from its commencement—Mode of guarding against their abuse—General law of 1802, incorporating all religious denominations in Maryland.

[1796.]

In the last chapter we mentioned the plan adopted by the convention of 1794, for inquiring, by a committee, into the characters and conduct of the clergy, with a view to discipline. It was an odious measure, and one well adapted to create trouble. The clergy had but little inclination to submit to a secret inquisitorial scrutiny, that might be instigated by private malice, and was to be conducted, in part, at least, by the laity.

One of the first acts of the convention of 1796, was to repeal the offensive canon, avowedly on the ground, that experience had shown it to be both inefficacious and inexpedient. Still, however, some mode of promptly discovering ministerial unworthiness, and applying a corrective, seems to have been thought necessary. By the constitution, the Bishop was empowered to call on any of the members of his standing committee (all being clergymen,) to assist him in visiting the parishes of his diocese. In fact, they were, to some purposes, *quasi* archdeacons. A canon was now passed, directing the Bishop to allot to each member a certain district, and to furnish him with written queries to be propounded to the several vestries, touching the conduct of ministers, the state of religion, and the general condition of each parish. The vestry was bound to return direct answers, and these, the Bishop was required to lay before the standing committee, or the convention, as the case might require. The clergy were required also to give notice to their congregations to meet at the parish church, on the day appointed for the proposed visit of the Bishop's representative. Whether they were thus called together to afford them an opportunity to complain, is not declared in the canon; that the temptation was a strong one to improve the opportunity to such a purpose is obvious enough; and it is hardly to be doubted,

that it was so improved by that class, (of which every congregation affords a specimen,) who unfortunately think that God and the Church require of them to be much more watchful over the clergyman, than they are over their own souls. The system was, without question, a bad one. Its direct tendency was to produce unpleasant feelings between the parochial clergy, and such of their brethren as were visitors; and also to sow periodically, the seeds of a plentiful harvest of discord between ministers and their flocks.

We are not without evidence that this measure was unpopular among the clergy. The Bishop, pursuant to the canon, divided the State into seven districts, and prepared the written queries: when, however, in 1797, he came to report to the convention the result, it appeared that but one visitor had fully explored his district; two others had visited a few churches, and the remaining four had, on various excuses, entirely declined serving. It is not surprising that this scheme met with so little countenance from the clergy. In addition to the objections to it already mentioned, they might have found a good reason for opposing it, in the fact that it placed over them, as an ecclesiastical superior, in whose appointment they had no voice, one, who after all, was but their equal in ministerial station; while, at the same time, it tended to lower the elevation of the episcopal office, and

certainly diminished the direct communication between the Bishop and the members of the Church throughout the diocese.

Just at this time, too, it was particularly desirable to bring the Bishop, as much as possible, into contact with the lay members of the Church. We all know the great influence which an active, judicious, and pious Bishop may exert in reviving the drooping energies of a prostrate Church, just ready to arise from the dust of lukewarmness or despondency, and follow a leader who can inspire confidence. Such was now the condition of the Maryland Church. An increased interest in her resuscitation and prosperity began to exhibit itself. Clergymen began to find their way into the State, to fill up the many vacancies occasioned by the war of the revolution. Young men of education and good family were looking to the ministry as a profession, though the number was small. Now and then, the Bishop had the pleasure of ordaining a deacon or a priest. The ministerial duties were more faithfully performed by the clergy in general, than they probably ever were before in Maryland. We say, in general, because there never was a time, we think, either before or after the war, when there were not some most faithful and exemplary clergymen in Maryland. And, at any rate, the number of ministers now was greater than it had been for many years. It was under these

circumstances, evidently most desirable, that the Bishop should see as much as possible, of the well-disposed laity. Not a State in this confederacy offered then, nay, we may add, few, if any, present now, better materials wherewith to build up the Protestant Episcopal Church, and make her to be "as a city set upon a hill." She had been an establishment, and enrolled among her children a very large number of the best and most influential families in the State; her property had not been taken from her; and though the events of the revolution might have subjected her to the temporary suspicion of the civil power, yet there was no such terrified jealousy as exhibited itself in the severity of tyranny or oppression. All around, in the vicinity of her sacred edifices (though some of them were now in a state of dilapidation,) were planted the children of a generation that had worshipped within those consecrated walls; within the silent precincts that they overshadowed, were resting the remains of the fathers and the mothers of those who still dwelt near the hallowed spot; and thus, to ruined church and deserted churchyard, were linked, by holy ties that nature never can disown, many a tender and pious association of thought and feeling. It was a time to take the children of churchmen by the hand, and lead them back to kneel before the now forsaken altars where their fathers had knelt, and ask them to sustain

them. We are far from intending to intimate that Bishop Claggett either evaded, or desired to evade, his duty in the work of visitation; all we mean to say, is, that the tendency of the visitatorial plan, had it been continued, was to render less frequent the personal intercourse of the Bishop both with the clergy and laity.

But though the Church had, at this period, begun to revive, yet a great deal was to be done to restore her to prosperity. She would not have had now so large a number of clergymen within her borders, but for the fact, that many of them had private means of support; but those possessed of no fortune were greatly embarrassed from the small income of their livings, as well as from the precarious mode of voluntary subscriptions, by which that income was raised. The livings, not only of the Episcopal clergy, but of all others in the State, might, perchance, have been made better, had the plan been carried into effect of a general application to the legislature for the support of Christianity. The assembly had power, under the declaration of rights, to lay a common and equal tax for such support; and, as we have seen, the Episcopal Church had resolved to join with other denominations in asking for such a law. What scheme precisely was contemplated, we are not informed; the plan desired was probably one, whereby the sum raised by general taxation would have been

proportionably divided among all Christian denominations, upon annual returns under oath, of the respective numbers of their Churches and people; to be applied by each denomination, as it saw best, for the support of education and religion in its own communion, and requiring, annually, a return upon oath, of the application that had been made of it. Indeed, there is no other plan by which the State, in any part of our confederacy, can give support to religion; and this scheme, it will be observed, pre-supposes the recognition of *Christianity*; a recognition that but few of the States, as States, are supposed to have made; Maryland, however, had made it.

But the effort to procure the interposition of the legislature failed, because the committee of the Episcopal Church, who desired to proceed in the application, could find no leading members of other denominations, who were willing, without authority from their respective Churches, to express even an opinion on a subject of so much importance. Whether that authority was ever sought we are unable to say.

The evils of the old vestry act of 1779, were still felt by the Church, and therefore it resolved once more to apply to the legislature for relief. Another subject to which attention was drawn in 1797, was the payment of the Bishop's expenses on his visitations. Bishop Claggett was possessed

of a sufficient estate, and maintaining himself, the support of the Episcopate cost the Church of Maryland, but little in his day. In truth, she could not then have provided means to sustain the Bishop. She was not unwilling, but, like all the other dioceses, immediately after the revolution, she was poor. It was felt, however, that the parishes favoured with Episcopal visitations, should at least defray expenses incurred for their benefit. Accordingly, the convention of this year enacted that the parishes should annually contribute to a fund for paying the Bishop's expenses on visitations; and if any parish refused, the Bishop might visit such parish if he pleased, but was not bound to do so. In this provision, the Maryland Church conformed to the ancient usage of the English Church, requiring *procurations*, as they were termed, (originally in provisions and afterward in money) to be assigned for the reception of the Bishop on his visitations.¹

Another most important as well as delicate subject, came before the convention of 1797. This was lay discipline. By the constitution, it was provided that lay members of the Church should be reproved, publicly censured or excommunicated, according to circumstances, for acts of gross

¹ See Gibson's Codex, 998.

immorality. The clergymen and vestry, were now invested with power to try and punish, after a private admonition without good results, from the minister: and in case of no minister, the oldest vestryman was to admonish in private his erring brother, before proceeding to try him. And this was proposed to the Churches to be made a part of the constitution. It is due to the Maryland Church to say, that she has never relaxed the rigour of her discipline in this respect. There is not a diocese in the union, that has made wiser or better regulations for securing Christian consistency in her laity. Her laws, too, on the subject are perfectly equitable, except perhaps in the view of those who think that the misconduct of a Christian layman can do the Church no harm by subjecting it to reproach; and are further of opinion, that the road by which the laity are to travel into heaven is somewhat less rugged than that over which the clergy must journey. The laity of Maryland, however, by contributing to make canons subjecting themselves to discipline, have proved that they at least entertain sounder opinions.

The committee to whom had been entrusted the application to the legislature touching the new vestry act, had not been unmindful of their duty, but upon the assembling of the convention in May 1798, they were obliged to report that the assembly had postponed the consideration of the mea-

sure. But the members of the Church were unwilling to abandon the hope of ultimate success, and therefore by an unanimous vote of the convention, it was resolved to address a memorial to the legislature, that was to convene in the latter part of 1798. This measure was the more called for, because the members of the Church had entertained different opinions with respect to particular clauses in the bill that had been postponed, and thus the legislature was embarrassed, by finding that even if the bill passed, it would not satisfy all the Churchmen of Maryland. In this memorial, the convention stated their case as follows: "under their present vestry act, defective and imperfect as it must be acknowledged to be, they beheld with grief that Church which the Redeemer of the world had founded, and which the sufferings and virtues of many great and good men had cemented, crumbling to pieces. They had no power to build or repair churches, to purchase ground for church-yards, nor to acquire or dispose of property of any kind. And it must be obvious, that unless the civil authority dispensed some power of this kind, no society whatever can long exist, or can attain the object of their association. When they looked forward to the result of their present situation, the prospect was dark and comfortless. They saw few men of talents and learning, entering into the ministerial office;

few parents, encouraging their children to qualify themselves for a profession, which, to many other difficulties, added the inconveniences of poverty. They beheld those desolating principles which, in other countries, have annihilated every thing that can make life desirable, rapidly gaining ground, and in their train, fanaticism, equally destructive of genuine piety and morality.

That they have often been relieved from some of their embarrassments by legislative assistance, they acknowledge with gratitude; but it was both painful to them and expensive to the State, to be coming forward with applications at every session. Particularly cautious not to interfere with the rules or policy of other religious denominations, nor, indeed, wishing to secure to themselves any advantages which should not be extended to them, your memorialists saw, with pleasure, that the legislature of Maryland had granted acts of incorporation to others, as full and extensive, differing only in some things relating to internal government, as the law, for which they petitioned. Nay, they even flattered themselves that their plan was preferable, inasmuch as it precluded the necessity of any future applications." They particularly desired that the ministers might be made members of their respective vestries; and on this head remarked, that it "would be a provision extremely beneficial, especially to country parishes, and that

it has been adopted by the Protestant Episcopal Church in every State, except that of Maryland." With this memorial and petition, and the law, as framed by the convention, Bishop Claggett presented himself before the legislature, and was at length successful. The bill, with some slight alterations, was passed into a law, and the Church, as to temporals, now occupied more advantageous ground.

By the new vestry act, it was provided, that "every free white male citizen of the State, above twenty-one years of age, resident of the parish, where he offers to vote, six months next preceding the day of election, who shall have been entered on the books of the said parish, one month, at least, preceding the day of election as a member of the Protestant Episcopal Church, and who shall also contribute to the charges of the said parish in which he offers to vote, such sum, as a majority of the vestry in each parish, shall annually, within ten days after their election, in writing, make known and declare, not exceeding two dollars, shall have a right of suffrage in the election of vestry-men." Having thus settled the qualifications of voters, it made provision for their registration, and for perpetuating vestries; it prescribed also the oath of vestry-men, binding them to a faithful discharge of duty, made the minister the presiding officer of the vestry, with a right to vote upon an equal divi-

sion, and secured to him the possession and enjoyment of glebe lands, houses, ground rents, books, and other property belonging to the parish, unless he otherwise contracted with the vestry.

To the vestries it gave an estate in fee simple in all churches and chapels, in all glebes, and other lands, and declared them to have a good title and estate in all the property once belonging to the Church of England, which it recognized as being the same with the Protestant Episcopal Church of Maryland. It subjected an incumbent to treble damages for waste, at the suit of the vestry, provided for the appointment by the vestry of two church-wardens, and gave also the power to the vestry of electing a minister, and making with him a contract for his services. When in any parish there were two ministers, they were to be associate rectors, and to preside in the vestry by turns, unless one should happen to be of an inferior order, in which case, the other was to be rector, and to preside in the vestry meetings. The law then made full provision for the keeping of a parish register, imposed a penalty on vestry-men for refusing to serve when elected, or failing to attend vestry meetings, and made the vestry of each parish a body corporate and politic with power to acquire and hold property for the use of the parish, provided, that the clear yearly value of the estate of any parish, (exclusive of pew rents, col-

lections in churches, funeral charges, &c.) should not exceed two thousand dollars.

The vestries were also forbidden to dispose of any part of the Church property without the consent of, at least, five of their body, (the whole number being eight,) of whom the rector was to be one; and without the consent of the churchwardens also; and when any property was sold by a vestry, they were forbidden to apply any part of the money so raised, to the payment of any contract made with the minister for official duties. They were authorized to purchase, at any time, two acres of land for a burial ground, or as a site for a church edifice, and might sell or rent pews, provided, in so doing, they did not interfere with the existing title of any person to a pew. And, finally to the convention was given power to unite or divide parishes, and to make new parishes.¹

One other matter, occurring this year, demands a passing notice, because it shows the opinion and usage of the Maryland Church at that day, on a point, which is now viewed differently. A clergyman, who had been ordained in the Church of England, and officiated in this country, had seen fit to attach himself to another denomination of Christians, whether as a minister or a layman,

¹ Kilty's Laws of Maryland, 1798, ch. xxiv.

does not appear. Repenting afterward of the step, he applied by petition to the convention to be restored "to the privileges and exercise of his regular ordination." Such an application now would be useless, because by canon of the Church General, no clergyman can formally relinquish the ministry without degradation, and once degraded, restoration is impossible; but the Convention of Maryland, in 1798, referred the application to the Bishop, with power to give to the applicant a certificate that he was a clergyman of the Church, provided, on examination, he should be satisfied of the moral character, sound religious principles, and conformity to the Church, of the seceding clergyman; and, provided also, that a public recantation should be first made of any errors in religion he was known to have held. The course here pursued, however, while it established a precedent, did not, in this particular case, result in the restoration of the clergyman; the Bishop required of him, as to moral character, to produce precisely the same evidence on that point, as the canon requires of a candidate for holy orders. This was not done, and the individual was not restored.

An evidence of Christian zeal, on the part of the brethren in Maryland, was manifested at this time, and calls for honourable notice at our hands. The destitute spiritual condition of the western part of the United States attracted the attention of the

Church, almost from the commencement of our western settlements. Much, indeed, could not be done by Episcopalians, for they were very feeble, and, in fact, were maintaining a hard struggle for their own existence in the east. As early as 1792, however, the General Convention passed an act "for supporting missionaries to preach the Gospel on the frontiers of the United States." This was the first missionary enterprize undertaken by the Church after her present organization, and it deserves to be noted, that it seems at first to have been considered the duty of the *whole* Church, for it was the act of the General Convention. The plan proposed in the act was, that every minister of the Church should, on a certain Sunday in the year, preach a sermon on the subject of missions to the frontiers, and collect money to sustain them; that each State Convention should appoint a treasurer to receive the money raised in the State, and report the amount to the Bishop of the Church in Pennsylvania, and to a standing committee to be appointed by the General Convention; that by these, a treasurer should be appointed to receive the money, and when the sum was deemed sufficient, then the Bishop of Pennsylvania, with the standing committee, were to employ missionaries on the frontiers. The proceedings of the Bishop and standing committee were to be regularly reported to the General Convention. Afterward, in 1795,

the money raised in each State was directed to be paid to the standing committee of such State, and the State Conventions were authorized to select and employ the missionaries. Maryland acted under this law; and of all the States, she was the only one, as we believe, that did from her frontier mission fund, support a missionary. The gentleman employed was the Rev. Samuel Keene, jun., who laboured piously and successfully in organizing episcopal congregations in what is now the diocese of Kentucky. His labours, however, were not promptly followed up; for, alas! there were not clergymen enough for the east, and hence, the beneficial results of his efforts were almost, if not altogether, lost to the Church. We have already seen that long before the revolution, the first missionary effort by the Church on any part of this continent, came from Maryland, in her zeal for the conversion of the Pennsylvania Quakers;¹ and if not the earliest in the field after the revolution, as we believe her to have been, we must still concede to her the honour of having been at least contemporaneous with the first, in sending the ministrations of the Gospel to others more destitute than she was. She may, therefore, emphatically claim to be "a missionary Church,"

and, we trust, that she is destined more and more efficiently to sustain that noble character.

We have no data, from which to speak with certainty of the spiritual condition of the Church at this time. We lament it, because we think that history of the Church is defective, which confines itself to her temporal and secular affairs without informing us of the rise or depression of those more important spiritual interests, for the perpetuation and diffusion of which, Christ established his Church on earth. We confess, we are glad when we can record the growth of "pure religion and undefiled," in connexion with the story of outward prosperity; nor can we with honesty, keep out of sight, even the narrative of great spiritual deadness, when truth requires it at our hands. Holiness of heart and life, or the want of it in the Church, at any period of her history, must alike be told. The first for our encouragement, the last for our admonition. But though the attainment of absolute certainty, is at this period of our story, beyond our reach, yet we are inclined to think, that true piety was on the increase in our communion. The clergy were more numerous, and the Churches were better attended than they had been. The conduct of the clergy too was an object of deep solicitude, to much the larger part of that body. They were not at all disposed to countenance an offender in their own

ranks. There may possibly have been a very few, who sighed for what perchance they would have called "the good old times of clerical impunity," as it existed in the days of colonial misrule; if any such there unhappily were, their brethren soon taught them that they should neither injure the Church, nor disgrace their order.

The reader has seen the difficulties, that existed on the point of discipline, and the remedies that were applied. The visitatorial plan never was prosecuted to any extent; but it was now determined that there should be some effectual mode of reaching a delinquent. If under the existing law, his vestry from mistaken tenderness, shrank (as they would) from the painful task of presentment; then it was resolved, that presentment should lawfully come from other sources. A canon was passed in this year, whereby two thirds of the convention, a vestry, or any four communicants of a parish, might present an offending presbyter to the Bishop, and the standing committee was made a court for his trial.

With respect to the property of the Church, the new vestry law, had certainly placed it in a better position; but it had not provided for all cases. There were parishes, having glebe lands and church edifices, that had been prostrated by the revolution, and had not yet revived. They were without clergymen or vestries; and it was

necessary, that some one should take possession of the property for the Church. Hence the Convention resolved that in the case of such vacant parishes, it was expedient that a committee should be appointed, including in it two members of the Protestant Episcopal Church in such vacant parish, who should take possession of the church edifices and other property, and manage and apply its funds for its benefit, until a vestry was chosen; that such committee should have the power to recover the possession by law against the wrongful holder, that when there was a vestry but no clergyman, the former should be obliged to report annually to the Convention the state of the property, and that the Convention should have a right of action against vestries for waste : and for these things, they determined to petition the legislature for an act supplemental to the vestry act.

By a canon passed at this time, it was also provided that vacant parishes, duly organized, but destitute of a clergyman, should be reported to the Bishop, by whom they were to be placed in charge of some of the neighbouring clergy, whose duty it was made to visit the parishes as often as the Bishop directed, and to perform ministerial services therein, and particularly to encourage and aid the congregations to employ a lay reader or minister.

The Bishop was further directed to withdraw his license to preach from any deacon, who, having been in the diaconate three years, took no steps, for procuring priests orders; and as clergymen of foreign ordination, were now coming to the United States, an effectual guard against imposition, was provided by requiring every such clergyman to satisfy the Bishop as to character, ordination, and attachment to the constitution and government both of Maryland and of the United States, upon doing which, he might obtain the Bishop's license to officiate. And the Church having now in a great degree weathered the storm of the revolution, thus entered upon a new century, occupying the favourable position which we have endeavoured to place before the reader.

We should be mistaken, however, in supposing that she was to have no more troubles. Scarcely had the year 1801 opened, before she found that a question of no small moment to her, had been before the civil tribunals of the country, and the decision there made, threatened to prove subversive of the discipline she had so sedulously laboured to establish. One of the clergy who had been ordained in England, had been degraded, for gross immorality. After his degradation, he united parties in marriage, and was prosecuted for so doing, he no longer having authority as a clergyman to perform the act. The jury acquitted him, under

the charge of the court, which stated that as he had received his orders in England, no authority in this country could deprive him of them. This was a doctrine at once strange and startling. There were yet remaining in the United States, many clergymen of English ordination, who had become citizens of the country and promised conformity to the laws, and obedience to the authority of the Protestant Episcopal Church. If, however, they could not be reached by ecclesiastical discipline, as the court had held, then was it worse than useless for the Church to legislate for the preservation of religion and order within her communion.

The subject was of such importance, that it attracted of course the notice of the Convention. That body did not believe the decision of the court to be correct; and as, after it, the degraded clergyman had openly set at defiance the authority of the Church, it was resolved, upon the earliest opportunity to bring up the question for a more solemn adjudication than that of a county court. The Convention therefore determined, that if information could be obtained of any offence committed by the degraded minister against the marriage act, the Bishop should communicate the same to the Attorney General, and in the name of the Convention request him, as a zealous friend to the interests of the Church to commence and conduct a prosecution against the offender.

But this blow, aimed at the discipline of the Church was not the only trouble she had to encounter. In some of the old parishes, where the Church had not yet revived, the work of spoliation had been proceeding. In Queen Caroline Church, Anne Arundel county, depredators had gone so far in their desecration and robbery, that they had actually stripped the church of its pews and floors; and as there was no vestry in the parish, they could not be sued for the trespass, under the vestry law of 1798. Unless checked by law, it was easy to foresee that other church edifices would soon share the fate of that in Anne Arundel. The committee appointed, in the preceding year, to solicit of the legislature such an addition to the vestry law as would meet precisely this case, had not deemed it expedient under existing circumstances to prefer their petition. It would probably have been rejected, and the Convention therefore approved of their conduct in withholding it. But the measure was not abandoned, a new committee was appointed, to apply to the legislature at a more auspicious period. In the mean time, the Bishop was desired to write to gentlemen in those parishes where vestries had not yet been chosen, exhorting them to organize under the law of 1798, without delay, and not to separate from their brethren or permit the property of the Church to be stolen and destroyed. He was

particularly requested to communicate with the parishioners of Queen Caroline Church, and as soon as a vestry was appointed by them to urge upon them the duty of seeking redress for the violation done to their Church.

There was another important duty which both clergy and laity owed to the Church, that we have reason to fear was now much neglected. It was the duty of attending and bearing part in the deliberations of the Church at her annual Conventions. Indeed, we are inclined to think that, even at this day, this duty is, in some parts of our country, too much forgotten. It is, unfortunately, but too true, that some of the clergy, who are left to starve as gentlemen, upon a miserable pittance, that would not satisfy a common labourer; and who reside at a distance from the seat of the Convention, *cannot afford to come*. To them, the little sum of money it would require, is an important consideration; of such, all that ought to be said, is, they deserve support, not censure; and to pay them is more just than to blame them. But the laity can urge no plea of poverty; they can generally come, if they will, and under our peculiar ecclesiastical system, they ought to come. We know not of another Church in Christendom, in which the respective rights, both of clergy and laity in the work of legislation, are more equitably arranged, or more securely guarded against abuse

on either side, than in ours. The laity neglect a Christian duty in not coming up to the annual Conventions of the Church. Their presence, their interest, their zeal, give encouragement and confidence to the clergy. Beside, a general attendance of both orders may make our annual Conventions special seasons of *spiritual* benefit. In some parts of our land, they are so. With some scores of ministers of Christ, and pious, respectable, influential laymen, gathered together in one place, to consult upon the interests of Christianity in the Church, surely it is possible to make these annual meetings contribute to the cultivation of a spirit of harmony and love, to the increase of judicious, enlightened zeal, and to the diffusion of God's truth by preaching. The brethren of Maryland, however, both clerical and lay, were, at this time, remiss; as we find on the journals of 1801, resolutions expressive of a wish for more general attendance, and with this act the session of that year closed its labours.

The Church proceeded, gradually gaining strength in her progress, or, at any rate, losing none that she had gained, and now brought into the field another auxiliary. This came in the form of tracts, illustrative of the doctrines, as well as of the liturgy of the Church, selected from the writings of the most approved divines of England, and sanctioned in their publication by the Bishop. A

committee was appointed to superintend their publication, and all the clergy were enjoined to distribute them.

But another, and, as we think, not less important measure, was introduced this year with the express sanction of the Convention. This was the establishment of voluntary associations of the clergy. As, in some parts of the Church, such assemblages have been deemed of doubtful expediency, we shall speak with more particularity of these in Maryland. The objection that has been made to these meetings, offers, we think, but a poor compliment to the clergy. It has been said that they are apt to engender a spirit that is in danger of becoming fanatical, that they tend to produce irregularity and nonconformity in the use of the liturgy according to the rubrics, and finally, that they afford occasions, apt to be improved, for the consultations and plots of faction, in opposition to the legitimate authority of the Church. That these things *may* result from meetings of the clergy in voluntary associations, as well as from any other general assemblage of them is true; that they necessarily *must* result from such meetings is, however, most untrue. An association may do great good, or much harm, as almost every thing similar may, just as it is well or ill conducted. To assume, however, as a fact indisputable, that it must do harm, is rather too severe, as well as too general a condemnation

of the clergy. The whole matter resolves itself into a single question :—Cannot the good derivable from associations be obtained, while effectual guards against possible evils are interposed ? We submit, with great deference, and with earnest love to the Church, the remark, that there is a remedy against such evils as are feared. Let the Bishop be ever the most active and diligent clergyman at associations, and they will do no harm. If he be present, to pray, to preach, to counsel, to lead his clergy ; if, in the spirit of zeal and love, he countenance no other contention among his sons in the ministry, but the holy strife of who shall do most in the Master's work, he will make the association, with God's help, a blessing to himself, to his clergy, and to his laity. The great body of the clergy would frown down the few, if such there should be, who would disturb such a spiritual father by factions ; his pious zeal, tempered with humility and sound judgment, would tame into soberness incipient fanaticism ; his gentle admonitions and paternal representations of the danger of undervaluing the sublime liturgy of the Church, breathing, as it does, the holy spirit of apostles and martyrs, would find a response in the bosoms of his brethren. They would follow such a leader, bound to him by that best and strongest of all bonds in heaven or on earth, LOVE. And, even should it prove, (which we hold to be incredible,) that against such a man,

the clergy would exhibit factious disobedience and conspiracy, they would exhibit them in vain ; for around such a Bishop, the laity would rally to a man. We have digressed to offer these remarks, hoping to find pardon for having done so, should it be thought we need it, in the fact, that love to the Church has prompted us to speak on a subject of importance. Associations will be held by some portion of the clergy ; they are not unlawful, and odious would be the canon that should attempt to make them so. We have but ventured to suggest what, for years, has seemed to us a simple and effectual remedy against their abuse. Wherever it may be tried, we believe it will prove successful. Indeed, some of our prelates have, in effect, acted on this plan. Pursuing the example of the apostle, when he sent from Miletus and gathered his brethren from Ephesus around him they have held convocations of their clergy, which, in effect, were associations. Nay, the practice commenced with our independent ecclesiastical existence. It began with that wise and good man, Bishop Seabury, than whom the Church never had a son that understood her better, or loved her more. We have yet to hear of evils growing out of convocations. With the presence of a zealous and pious Bishop, we are free to confess we fear none from associations. Before leaving the subject, we would add a word upon the possible objection that attend-

ance on such meetings would add to the Bishop's labours, and that these are now, in all the dioceses, arduous enough. They are, indeed, arduous when faithfully performed. It would, however, add but little to the labour, if associations were so arranged as to the period of meeting, as to be held, like convocations, at some time in the course of the Bishop's visitations. But more still; it must not be forgotten that in a country like ours, it is as necessary in matters ecclesiastical, as in civil and secular affairs, to watch events, and accommodate ourselves, as far as we lawfully can, to the spirit of the times. A Bishop cannot, in America, quietly enter upon, and pursue a beaten track made plain and hard, as in England, by the footsteps of many a predecessor. He must expect to find, if we may so speak, many a hard day's toil in a forest that offers no track at all. With no weak spirit of accommodation, ready to yield to every thing, and with no spirit of oppugnation, prompt to combat every thing that has not been stereotyped for centuries, in another land and a different state of society; he must yet, holding fast to fixed principles, cause himself to be both seen and felt, active in the midst of ever changing circumstances, that by his attention may be directed to the prosecution of good, or by his neglect, perverted to the growth of evil. If this causes him additional labour, let him find compensation for it, where he ought to find it,

in the thought that it is labour for the Church, and the cause of that Christ, who endured harder toil, even unto death, for his redemption, and to whose service he has solemnly sworn to consecrate his every faculty. Let it not be supposed that in these remarks we would be understood to cast the slightest imputation on any of the spiritual fathers of the Church. We bear willing testimony to their zeal, their industry, and their faithful labours; nor do we fear that they will receive, in any spirit, save that of kindness, the remarks which (as we before said) have been prompted purely by love to the Church, in this digression.

In the convention of 1802, the Church of Maryland recommended to the ministers residing on both sides of the bay, to meet in voluntary associations on their respective shores, three times in every year: that at these meetings they should labour by frequent and earnest preaching and prayer to awaken the people to a more lively sense of the important concerns of religion; to encourage themselves to a more ardent zeal in the work of their holy calling; and to frame such rules for their government at these associations as to them might seem expedient; provided they ordained nothing contrary to the discipline of the Church.

At the session of the legislature held in November 1802, a law was passed "to incorporate certain

persons in every Christian Church and congregation" in the State. By this enactment the law of 1798, establishing vestries, was altered but little. One particular in which it was changed was in allowing a part of any congregation to separate, build a house of worship for themselves and employ their own minister, thereby taking from the convention, the power it before possessed of forming new parishes. The other change was in taking from the churchwardens the powers of civil officers of the peace, conferred upon them by the vestry law of 1798.

CHAPTER XIII.

Depression of the Church in 1803—Benefit of associations—Application to the Church of Maryland from Delaware—Condition of the Church on the peninsula—Bishop's fund—Maryland concurs in giving the house of Bishops a veto—Pastoral letter published with the articles and canons—Conduct of St. Peters Church thereon—Authority claimed by the convention—Spirit of disaffection manifested—Induction in Maryland, its apprehended consequences—Taxation of parishes by the Convention—Petition to the legislature by the Church against divorces and gaming—Increase of piety—Parties among the clergy, high churchmen and evangelicals—Society for promoting the Christian religion &c.—Legislature refuses to incorporate the Convention—Injunction on the clergy to preach annually on Episcopacy—Repeal of the same—Considerations on the repeal—Plan for supplying Churches—its failure—Efforts of other denominations—Instance of strong attachment to the Church—Bishop Claggett's infirmities induce him to ask for a suffragan—proceedings on this application.

[1803.]

The picture of ecclesiastical affairs presented to our contemplation in the year 1803, is one, for which, we confess we find it difficult to account. We have seen that in the years immediately preceding, the Church had been making progress slowly but surely; yet now, in some particulars, she would appear not merely to have become stationary, but to have made a retrograde movement,

while in others she was still advancing with more rapid strides than before. Thus, there were at least nine or ten new church edifices just built, or in the progress of erection, on the Western shore alone. Two or three vacant parishes also had applied to the Bishop for ministers and promised to support them; and in the case of the new churches there was no reasonable doubt that those by whom they were reared were ready to maintain clergymen in them. Thus far therefore appearances certainly seemed favourable. But to counterbalance this, there was a spirit of indifference to religion and the Church, but too extensively prevalent in the parishes, and nearly one half of them were vacant. In some, *all* ministerial support had ceased. Some few of the clergy had deserted their stations, and of the residue, several, disheartened and embarrassed by inadequate means of living, had sought subsistence in other States, where they hoped to find better remuneration for their labours. A majority of the whole number were, however, still in the field contending for the faith, though these were altogether insufficient to supply all the parishes. Infidelity and fanaticism (the co-existence of these is by no means uncommon, for the last often begets the first) were thought by the Bishop to be increasing; and on the whole, there never was a time when ministers were more needed, or when it was more difficult

to obtain them. Of the immediate causes that led to this state of things, we have no record save in the fact we have mentioned of the insufficient means of support afforded to the clergy. This prevented many from entering into the ministry, not many now came as they once did from England and Ireland, and such was the demand for clergymen throughout the dioceses, that the clergy had a wide field through which to rove, and strong temptations to try various scenes of official labour. Beside, even had there been greater inducements than existed, to take orders, it may well be doubted whether the high demands for clerical qualifications made by the General Convention, even at that early period, would not have made the number of candidates small. The Bishop on this latter point, while he expressed his apprehensions of an illiterate ministry, was yet, for opening the door as wide, as the laws of God and not overstrict canonical regulations, would allow.

In the midst, however, of these unpropitious circumstances, there was one encouraging and cheering fact brought to light, which we have reserved for a distinct notice. It will be remembered that the Convention of the previous year had recommended associations of the clergy. On the Eastern shore, they had been entered upon with spirit and zeal, and the consequence had been most happy. It was not to be denied, that in

some of the old parishes of that part of the diocese, the spirit of true piety had been revived to a considerable extent; and the Bishop dwelt upon the fact with devout gratitude. Nor had any evil consequences been known to result from these associations. On the Western shore, the Bishop himself summoned the clergy to consider the propriety of adopting the recommendation of the Convention. A number met him in the city of Washington and the convocation concluded that the safest and best course was to place the associations under the direction and government of the Convention. A committee was accordingly appointed to digest a plan for this purpose to be laid before that body.

As to the vestry act, such was the temper of the legislature that it was not thought best to apply for additions to it.

At the meeting of the convention of 1803, an application was made to that body by the Church in Delaware. A delegate from the last named diocese appeared before the Convention, and expressed the unanimous wish of his constituents "that the Protestant Episcopal Church in Delaware should be added to the diocese of the Bishop of Maryland for the purpose of receiving Episcopal visitations, for the administration of the apostolic rite of confirmation, and other advantages which would attend such visitations;" and that

whenever it should be deemed expedient by the convention of Maryland, the convention of Delaware would cheerfully join and associate with the same for the purpose of electing a Bishop, for the Eastern shore of Maryland and the State of Delaware.

As to the first part of this proposition, it was probably made under the provisions of a canon of the General Convention of 1795. By that canon, the bishop of any diocese, might be requested to perform Episcopal duties in any vacant diocese. As to the latter part, indirectly proposing the severance of the diocese of Maryland and the creation of a new one, it might at that day have been accomplished without the intervention or aid of the General Convention, if both parties concerned desired it. The feebleness of Delaware (the smallest of our dioceses) together with her geographical position, no doubt prompted the proposal. The tract of country that would have been included in the new diocese, was old church ground. The whole peninsula between the Chesapeake and Delaware bays is about two hundred miles long and between eighty and ninety in breadth at the widest part. It is divided among three distinct governments; and includes the State of Delaware which is all within it, the Eastern shore of Maryland, and two counties of Virginia. The proposed diocese would have embrac-

ed the whole peninsula, except the two counties of Virginia at its Southern extremity. Before the revolution, the Church of England flourished through this whole region. When the war commenced, there were not less than sixty Churches in it, many of them substantial and beautiful brick edifices, and not a few well filled with worshippers. Of these buildings, some are yet standing and now in use, though they were long deserted, others are in ruins. The traveller in going down the line that separates Delaware from Maryland, might at a recent period, have seen within a few miles of that line the tottering remains of five churches, and the spots on which had stood three or four others. There are few things more calculated to touch the soul of a pious churchman than to journey over those of the Southern States in which the Church was the establishment, and to mark the crumbling remains of ruined temples, that attest the piety of our forefathers. More than once have we paused in our travel to step aside, and stand alone within the roofless, perchance, shattered walls of some house of God, that caught our eye and lured us from the road. There is a sermon in the very stillness of the quiet air around the hallowed spot, as one sits down on some half sunken tombstone, and in the calm loveliness of one of those bright and beautiful days that belong to a Southern clime, calls up the scene

of former times, and fills that forsaken church with the worshippers of a buried generation, and hears in fancy the preacher's voice, and thinks of all the hopes and fears, the joys and sorrows of that assembly of immortal beings that have gone to their last account. How many souls were here ripened for heaven, how many aggravated their condemnation by here slighting the oft repeated offers of mercy? Who can tell but God? Now, where are they? Breathe forth the words, and echo from those ruined walls, will send for answer back upon the heart—'now, where are they?' Startled by the sound, the mind awaking from its reverie, reluctantly returns to the realities of life, and muses in silence on the unspoken sermon that the heart had been preaching to itself, from the text of that old ruined church.

But a short time before this proposition from Delaware, there were but nineteen clergymen on the whole peninsula; and at a period as near our own days as 1827, there were but fifteen, though the number of churches in a condition to be occupied was almost forty. The Maryland brethren were not disposed to accede to the proposal from Delaware to form a new diocese, by attaching their Eastern shore to that State, and elect a Bishop for it; and as to the services of Bishop Claggett in Delaware, they referred the applicants to the Bishop himself.

As the legislature by the law of 1802, had given power to any part of a congregation so disposed, to withdraw and form a new one, the Convention, to guard against needless separations, and the consequent weakening of parishes, directed by canon, that no new congregation should be thus organized without having first obtained the leave of the Convention.

Nothing of much moment is to be recorded as connected with the progress of the Church from this time, for two years or more. In 1804, it was deemed desirable if possible to release the Bishop from a parochial charge that he might devote his whole time to the diocese; and it was made the duty of a committee to devise a plan for the support of the Episcopate. The Episopal fund however made but slow progress. It has always appeared to us somewhat surprising, that the fund for the support of the Bishop, has in every one of our dioceses been of very slow growth. Consistency would seem to suggest to Episcopalians, the propriety of providing this fund almost before any other: and yet contributions to it are not the most popular in our dioceses. It is bad policy to say the least, thus to neglect it. The Church will always prosper most when it has at it head a faithful and efficient Bishop, who can give to it his undivided attention. An increase of its general means, will be one of the consequences of its pros-

perity: there will be more to contribute to its support, and its demands upon each individual, will consequently be less than they would otherwise be. But it is wrong in principle. A bishop has onerous duties and great responsibilities. Those by whom they are imposed, ought to leave his mind at ease as to the matter of support, and thereby afford him opportunity to do what they require; or else, in common justice, they ought to excuse him from performance. Are there not instances, in which neither is done? None but Egyptian task-masters require of men to make bricks without straw. To starve a Bishop is almost, perhaps altogether, as injurious to the Church as to be without one; and Episcopalians profess to believe that a Bishop is of great importance in our ecclesiastical system. Maryland, however, in the particular of her fund for the Episcopate, was not more deserving of admonition and rebuke than her sister dioceses.

In 1805, the Convention of Maryland entered upon the consideration of a change in the General Constitution of the Church that had been proposed in, and sent down by the General Convention. This was such an alteration of the third article as would give to the house of Bishops equal power with the house of clerical and lay deputies to negative any proposed canon. As the Constitution now stood, they might unanimously object to any

canon coming from the other house, and yet if four-fifths of the house of deputies adhered to it, it became a law notwithstanding the objection of the Bishops. The Maryland Convention resolved without a dissenting voice to "concur in the proposed alteration." Another subject that occupied their attention was marriage within the prohibited degrees of consanguinity, according to the English canon law. The Convention adopted that law, and resolved that their deputies to the next General Convention should report their canon to that body, and endeavour to have it made a part of the law general of the Church. The fate of this application will appear hereafter. Another act of the Convention, seemingly of small importance at the time, deserves to be mentioned, because it led to consequences of more moment than had ever been anticipated. It was resolved that "the articles of the Church, and the canons respecting discipline, should be printed in a pamphlet, and sold at as low a price as could be afforded, for the better information of the members of the Church." This certainly appears to have been a very harmless measure, and yet the Convention of 1806 found that it threatened very serious results.

The secretary of the Convention caused the pamphlet to be prepared, and sent copies of it to every parish in the State, accompanied by a respectful letter informing the several vestries that if

more copies were desired they might be obtained at a price named, that was very small, and not more than sufficient to defray the expense of publication. Indeed it was not pretended that there was the slightest attempt to make the transaction one of pecuniary profit, to any person. Not long before the convention of 1806, the then rector of St. Peters Church in Baltimore, informed the secretary that his vestry had directed him to return the copies, that had been sent to them, and for this proceeding no cause was assigned. And if this were all we knew of the transaction, it would indeed be inexplicable, why, as no heavy pecuniary burthen was imposed, (the whole cost of the pamphlets being but six dollars) they should have been thus unceremoniously returned. But the Convention had unanimously desired the Bishop to issue a pastoral letter addressed to ministers and congregations, and suited to the condition of the Church, to be prefixed to the pamphlet containing the articles and canons, and he had done so. This document, we apprehend, may have given offence, though a less exceptionable pastoral letter was never issued by any of our Bishops. It is remarkable for its apostolic simplicity and fervour. It expressed the Bishop's joy and thankfulness in the contemplation of "a great revival of serious and devout impressions," in many parts of the diocese, breathed the spirit of peace and love, ex-

horted to unity, and evangelical piety, enforced the leading doctrines of the gospel with great distinctness, and in short was a truly spiritual address, such as became an ecclesiastical father, speaking to his children. It is true that it also, though with great moderation, enforced compliance with canons and rubrics, and recommended conformity to established usages. It alluded with uncommon delicacy and tenderness to some unhappy heart burnings and mutual reproaches, both among the clergy and laity; and, said the good Bishop, "would to God I could heal every unquiet mind, and unite all in brotherly love, in the bond of peace and in righteousness of life!"

There were however some, and to this class we fear belonged the then rector of St. Peters, who were contentions, and not disposed to study "the things that make for peace, and things wherewith one may edify another." He, we believe, thought there was a want of evangelical piety in most of the clergy and laity, and unfortunately afforded in himself but a defective specimen of "the meekness and gentleness" of our master. There were parts of the pastoral letter which he might have applied to himself. We are inclined to think he did so.

The Secretary of the Convention reported to that body the fact of the intended return of the pamphlets, and it was referred to the Committee on

the state of the Church. Their report is entitled to notice because it establishes certain principles touching their authority. They affirmed, first that the pamphlet and pastoral letter having been issued at the request of the Convention, ought to be in the possession of every parish or cure that was in union with the Convention. Secondly, that the return by the vestry of St. Peter's of the copies sent to them, was, under the circumstances, wanting in due respect to the authority of the Convention, and would seem to imply a spirit of contemptuous indifference or disregard that, if designed, merited the severe censure of the Convention. Thirdly, that the secretary should not receive the copies, if the vestry of St. Peter's offered to return them; but that the latter should be held accountable to the convention for their price. The Convention unanimously approved of the report of the committee and assented to all these propositions in the form of resolutions; thus asserting the principle, that to a certain extent they had a right to require of the members of the Church respect and obedience toward their authority and recommendations;—and further, that they had a right to impose upon churchmen the duty of providing themselves with the means of knowing the doctrines and laws of the Church. They had in effect imposed a tax, but it was on those who were represented and had a voice in

the matter ; and for that tax they rendered, as they claimed, an equivalent. The authority they exercised therefore was first that of taxing when they afforded an equivalent, and secondly of determining themselves what was an equivalent. If the Convention represented the whole Church of Maryland, as it did, we know not how according to the principles of our ecclesiastical system, that body could consistently have acted otherwise than as it did. The question was brought to the single issue whether the supreme authority of the legislature of the whole Church should rule, or whether each congregation should establish independency. The only restraining power over the legislature is the constitution, and in this case, the Convention acted in entire accordance with the declaration of "fundamental rights and liberties" of the Church in Maryland. The principle here affirmed by the Convention it is obvious may be greatly abused in its application, and so may every principle however sound. The remedy against such abuse, in our system, is for every parish to send representatives to the Convention. We have been the more particular in this part of our story, because it furnishes proof of the existence of a spirit of insubordination and disaffection, and as such, may be deemed the first overt act of opposition in a series of events that terminated in an attempt to establish a schism in the Maryland

Church, and led to the severest exercise of her discipline.

And now arose another subject in which the general legislation of the Church seemed to conflict with the local law of the state of Maryland. In 1804 the general Convention had declared that no minister should be considered as regularly settled in a Church, or should have a vote in the election of a Bishop, who had not been formally inducted according to the form then prescribed in the book of common prayer. This justly gave alarm to the Maryland Church. The vestry act had settled the rights of ministers as parochial clergymen, and there was consequently some uncertainty, to say the least, as to the legal effect in Maryland of an induction. Beside, difficulties were apprehended, if the canons of the general Convention were to be applied to the future elections of a Bishop; for, of the Maryland clergy, not one had been inducted, nor was one likely to be. The health of Bishop Claggett too was such that it was by no means improbable the apprehended difficulties would soon arise. In 1807 therefore, the delegates from the diocese to the general Convention were instructed if possible to have the canons relating to induction reconsidered. And we may here as well dispose of the subject by stating that in 1808, it was enacted that the canon should not be obligatory on the Church

in those States, with whose usages, laws, or characters it interfered.

We have spoken above of the declining state of the Bishop's health. It was incidentally brought to the notice of the Convention of 1807, by the report of the committee on the subject of the Bishop's support. They stated that in consequence of the age and infirmities of the diocesan, he could not make frequent visitations and perform all the duties that the Church expected from one of sound health : and that therefore it was necessary to adopt a plan by which a small salary only would be produced, anticipating, however, the need of a much larger sum at a future day. They then recommended an annual tax on the parishes for the support of the Bishop, and *fixed the sum to be paid by each parish*. In this latter act we are furnished with evidence of the worth of livings in Maryland at that time ; for the scale of assessment on the parishes was regulated avowedly by the salaries of the clergy. In the City of Baltimore they were valued at eighteen hundred dollars per annum, and in the country cures they were estimated as being worth four hundred. The estimate was doubtless quite as large as it should have been.

At the present day, we believe, no Church of any denomination ever thinks of applying to the legislature for any purpose other than one con-

nected in some mode with its temporal concerns. It asks for incorporation, or for some interposition necessary to secure its property: but it was not so in former times. At an earlier period in our history, it would seem that Christians in their respective Churches, felt they had a right to invoke the aid of the civil authority in support of good morals; and the existing change of opinion and practice on this subject has probably resulted from the disposition manifested by our legislatures to look with jealousy on any applications from a Church, unless it be merely for incorporation, or some similar purpose. Certain it is that in times nearer the close of the revolution, legislatures were less apt to be frightened than they now are by the introduction of any thing within their halls, allied to the cause of Christianity. The early legislative journals of all the old States of this confederacy, will prove the truth of this remark. Ever since the Revolution however, the dreadful apprehension seems to have increased, of allowing the civil authority to connect itself at all with the cause of Christianity, insomuch that some have said with less truth than severity, that the government seems to act on the principle that *infidelity* is now the established religion, and that Christianity is barely to be tolerated. This however is not just. Our legislators are indeed afraid of an established religion in any part of the United States. We hope

they will ever be so, for under our present civil institutions, we conscientiously believe an established religion would deeply injure the cause of true piety, and prove ruinous to the best interests of our country. There is however no intentional preference given by the mass of our legislators to infidelity; but as every man is here left free to think and act as he pleases on the subject of his religion, it is not to be denied that infidelity (provided it does not disturb social order and the peace of society) stands, so far as our legislation is concerned, on precisely the same ground with Christianity: and our legislators can view it in no other light. It should however be observed that these remarks are not strictly applicable to all the States. In some of them (and Maryland is of the number) there is a recognition of Christianity in general, but not of any one Christian denomination; an application of the Maryland Church therefore for human laws to enforce the performance of moral duties, may appear to have been perfectly consistent with the declaration of rights and the constitution.

At any rate, so it was, that the Convention did apply to the legislature for its interposition in two particulars; and in one of them the application itself implied a censure of the body to which it was made. The one subject was that of gaming; it prevailed to such an extent, that the Church felt

called on to ask for a new and effectual law to prevent it. In this, however, as in some other cases, the evil felt did not probably result from defective laws, but from their defective administration. The other matter on which a memorial was submitted, was that of divorce. The legislature had granted several divorces on grounds thought by many to be entirely insufficient. The Church respectfully remonstrated against it, and had the courage to say to the legislature that it erred. She deserves respect for her holy boldness; she had nothing to gain by it, but might lose favour; she spake out, however, freely but respectfully, and prayed that in future the assembly would sanction no dissolution of marriage, except in cases where the woman had been convicted in a court of law, of that crime which alone was pronounced by the Saviour a proper ground for divorce. These applications, however, were attended with no good effect.

There would seem too to have been on the part of our brethren of Maryland, a correct understanding and due appreciation of those peculiarities that belong to Episcopalians. They naturally and properly desired to have those peculiarities understood by others. They could not perceive how the Church, as such, could ever increase by the surrender or concealment of her distinctive principles. They were also too well informed not to be aware that she had everything

to gain and nothing to lose by the most rigid scrutiny of those principles. Accordingly, by an unanimous vote of the Convention, they declared that being "desirous to promote a knowledge of the principles of episcopacy, they were of opinion it would greatly contribute to that purpose, to have an edition of 'Skinner's Primitive Truth and Order vindicated,' published in this country: and to show that they meant all they said, every member of the Convention bound himself in writing to take a certain number of copies of the book when published. Nearly one hundred and fifty copies were thus subscribed for, and to this in part are we indebted for the only American edition of that valuable work. In this measure, the Maryland Church pursued, as we think, the proper course. She furnished to those around her the means of examining the claims of Episcopacy calmly, trusting for the result, to the force of truth upon intelligent and unprejudiced minds. One pious man thus made an Episcopalian by dispassionate investigation, is worth a hundred brawlers who become sudden converts to Episcopacy on grounds that are at least questionable; and who with the usual zeal of neophytes, clamour loudly about bishops, priests and deacons, without being able to tell why the Church adheres, as she properly does, to these legitimate and primitive orders in the Christian ministry. We have reason to know

that the good work in which the Church of Maryland here aided was not without fruit. We know, of the clergy, some now living, than whom none are more valuable to the Church, who learned what Episcopacy is from Bishop Skinner's work, thus republished in America.

As to the general state of piety in the Church, it would appear, from the reports of the clergy, that in 1807, it was on the increase. Churches were in the progress of erection, old ones were undergoing repairs, the salaries of the clergy, though not large, were yet duly paid; and these outward signs were not untrue indices of improvements within. There was more zeal among the laity, and more spirituality, communicants were becoming more numerous, children were more an object of attention, for while regularly catechised in many of the Churches, they were also taught at home their duties as Christians, and on the whole, the clergy as a body, were encouraged, and thought that true, heartfelt religion was gaining ground in the Church. Still there were some features in the picture not agreeable. There was not entire unanimity among the clergy. The Bishop might have said to his sons in the gospel, as the apostle said of old to his children of Corinth, "I hear that there be divisions among you." The spirit of party had in some degree manifested itself. Some were called high churchmen, others

were termed evangelicals. Now we believe that the former loved the plain and close application of the preached gospel to sinners, and that the latter were not wanting in attachment to Episcopacy or the liturgy. We read the reports of both classes, made to the Convention, and such is the evidence that both furnish of zeal for Christ and the Church, that we confess it would be very difficult, from these, to classify the reporter. Some on the one hand may have seemed to their brethren too much afraid of fanaticism; while others again may have appeared to confound forms with formalism, and mistake was probably made as to both. But distinctive names were given, and names alone often create parties, or at least perpetuate them, until the support of party becomes, with many, more important than the support of principle.

It will be recollected that an application was made to the General Convention to adopt the English canon law on the subject of marriages within the prohibited degrees of consanguinity. The consideration of this subject had been postponed by the General Convention, and the fact was reported to the Maryland Convention of 1808. It has subsequently been brought forward more than once, but is not yet acted on.

The most important conventional business however transacted in the year of which we are

now writing, was the formation of "the society for confirming and extending the interests of the Christian religion in general, and of the Protestant Episcopal Church in particular." This originated in the Convention and appears to have been an enlargement of an informal association entered into, by several of the members of the Church, for distributing good books, and otherwise confirming and extending her interests. By the rules and regulations now adopted it would seem that the republication and distribution of proper books was the only end the society had in view. It was something more than a mere tract society, for it contemplated the printing of books of some bulk. It was an undertaking too great for the church in its then weak state, and beyond mere tracts, we are not aware that it published any thing.

By the special vestry act, and by that of 1798, the Church as we have already seen was secured in the possession of her property in those parishes where vestries were chosen; but no provision had yet been made for securing it, in those parishes where there were none. Application had been made to the legislature more than once, but the Church in this particular was treated with less liberality than other denominations of Christians. In 1808, a bill was offered to incorporate the Convention with the usual powers conferred on corporate bodies, and to place under its care the proper-

ty of the Church in those parishes which might at any time be without vestries. This bill passed in the house of delegates, but was rejected by the senate. This was felt to be harsh treatment. The statute book contained numerous laws for the incorporation of other religious societies, and this was the first instance of a refusal to grant such incorporation, or indeed of even opposition to such a law. Malice itself could not discover in the bill or memorial accompanying it, the slightest provision injurious to the rights of other denominations of Christians: it did not seek to advance the Church at their expense. Indeed its rejection was perfectly inexplicable on any other ground than that of want of time on the part of the senate to examine the bill and see that it was inoffensive and harmless in its operation. The Convention therefore in the session of 1809, determined to renew the application.

There was another subject which it seems proper here to notice, because it involved a principle, and has undergone discussion in more than one of our dioceses. There was a canon of the Maryland Church enjoining it upon every parochial clergyman once in each year to preach upon the nature of Episcopacy. In 1809, this was repealed. The principle here involved is that of the right exercised by a Convention of dictating to a parochial clergyman the topics to be intro-

duced into his pulpit. No parochial minister, understanding his own rights, responsibilities and duties, will ever submit to such dictation for one moment. He may listen respectfully to a recommendation or suggestion on such a subject, made by his brethren in Convention, and he ought to do so; but the moment he concedes that they may authoritatively enjoin on him the discussion of this or that subject, he yields to them the right to prescribe a theme for every Sunday in the year. He will therefore if wise, act on the rule, *obsta principiis*. It may be very proper, nay it is so, for a clergyman, by some mode or other, to cause his flock to understand the claims of Episcopacy; but the selection of that mode belongs to him: it may be by books, by conversation, by familiar lectures, or by preaching; all of them are lawful, but it is not lawful to enjoin upon him the adoption of any one of them. Nor let it be supposed that the doctrine here advanced, allows to a clergyman, to present, unchecked, what he pleases from his pulpit. While the right of others to dictate his topics to him is denied, his own right to preach that which is contrary to the doctrine or discipline of the Church is equally denied. He shall not advance heresies, he shall not combat Episcopacy from his pulpit. If these things are done, let his Bishop interpose his authority, as he may; but no power on earth may lawfully say to him, you *shall*

preach on this topic or on that. He must select his themes with reference to the spiritual wants of his hearers, best known to himself, and must discuss them under a sense of his solemn accountability to God. How can he answer for the souls committed to his trust, if he is to be the mere mouth-piece of others?—The Maryland Church we think acted in adherence to principle in the repeal of this canon.

And now under the pressure of a want, felt at that time in the church throughout this country, the Maryland brethren began to think of a remedy. The want alluded to was that of education for young men disposed to become clergymen. Accordingly, the Convention, declaring its sense of the necessity of the faithful preaching of the gospel, of a supply of godly ministers, and of the education of pious youth for the ministry resolved to appoint certain of the clergy to visit decayed and destitute parishes as often as they could, there to perform divine service, make collections and procure subscriptions to further the great ends in view: while in the other duly organized parishes, subscriptions were to be sought, and collections made for the same purpose. A very large number of lay gentlemen were appointed in the several districts to co-operate with the clergy in this work and an earnest appeal was made to all the members of the Church for help.

From the earnestness with which this subject was commended to the Church, better results might have been anticipated than appear to have followed. Very little money was procured by this plan. Possibly one cause of failure may have been that the work of solicitation was confided to so many; each thought it would be performed by some one of his colleagues, and the consequence was, it was neglected by nearly all: but a more certain cause we are inclined to think must be sought for in the limited means of the Church. An evidence of the general opinion entertained on the subject of Episcopal ordination, occurs at this time on the ecclesiastical records of Maryland. A proposition was made in 1809, to instruct the delegates to the general Convention to obtain if they could, a repeal of those canons which prohibited the clergy of other denominations from officiating in the pulpits of Episcopal houses of worship. It was after consideration, unanimously rejected.

In the depressed condition of many of the parishes at this time, other denominations found, as they supposed, encouragement to labour in them for the introduction of their peculiarities. They did not always labour without success. Many who became alive to their spiritual condition, naturally enough attached themselves to that Christian community that chanced to be near to them.

They saw the Church prostrate, and despaired too of its speedy revival; possibly too, that very prostration, though unavoidable, begat the impression that the Church was cold and lifeless, and indifferent to the religion of the heart. We well remember when such an opinion was common enough at the South among the newly awakened, and when those of other denominations were ready enough to encourage, and avail themselves of such an opinion. An illustration was afforded of the remark :—"The evil that men do lives after them : The good is oft interred with their bones." No one remembered what the truly pious of the Church had done for the cause of religion in colonial times; but tradition had communicated to every one, story upon story of ungodly ministers of the Church of England, who lived before the revolution, and who were accused of having done almost every thing, but their duty. The Methodists we believe gathered the first and best gleanings in the fields of the Church. There were, however, some instances of attachment so strong that no efforts could shake it. In one parish, where the church was in ruins, an uncommon exertion was made by the Methodists. For two years they placed in it one of their preachers of no small fame, but he toiled in vain. He made not a single convert, the inhabitants remained immovably attached to the faith of their fathers, and

finally rebuilding the church, and procuring a minister they became, what they still are, a flourishing, orderly, and exemplary Christian congregation.

The Church of Maryland had now been for nearly twenty years under the supervision of Bishop Claggett, when, in 1811, his increasing infirmities compelled him to contemplate with painful interest his inability to meet alone the responsibilities of his office, to the claims of which he was feelingly alive. He therefore in June of that year addressed to the convention the following communication.

“Having devoted myself to the service of God in the Christian ministry, for forty years and upwards, and having sat in the Episcopal chair, for nearly twenty of those years, I cannot, I will not desert the interests of the Church of Maryland. Neither the laws of God, nor of the Church, nor will my own wishes permit this. It is therefore my determination, that all the powers of body and mind with which it shall please God to bless me, shall be exerted in the discharge of the pastoral duties, to the end of my days.

“But the infirmities of age, and the violent paroxysms of my painful disorder, sometimes render me unable to take long journeys to the distant parts of this large diocese. Thus circumstanced, and the concerns of our dear Church being para-

mount with me, to every other consideration, I apprehend it to be my duty to hold up to your view the propriety of choosing some ‘qualified clergyman,’ who, when consecrated, may assist me in discharging the functions of the Episcopate. “You, will be pleased seriously to weigh the matter of this communication in your minds, and act as to you may seem fit, at the present or at some subsequent session.

“Should you in your wisdom, think such an officer necessary, whether you make choice of him now, or defer it to a future time, assure yourselves, you may reckon upon my cordial acceptance of the person whom you may choose.” The Convention, directing this communication to be inserted on the Journal for the information of the Church, postponed the consideration thereof until the following year.

The introduction of this letter furnished the signal for an exhibition of feelings on the part of the then rector of St. Peter’s Baltimore (the Rev. George Dashiell) who had, as we have already related, shown a spirit of insubordination, and resistance to the authority of the Bishop and Convention. He now charged some of his brethren with having beset Bishop Claggett in sickness, and teased him into the measure of asking for a suffragan; this was untrue, and there were not wanting those who thought that the charge would

never have been heard, had not disappointed ambition writhed under the discovery, that if a suffragan were appointed, he would not be the rector of St. Peter's. It was publicly stated also that upon the introduction of the Bishop's proposal, Mr. Dashiell inquiring where he might be seen, found him on the bed of sickness, and so assailed him that the Bishop himself complained of his indelicacy and intrusion. It was now supposed that the angry presbyter had drawn the sword and thrown away the scabbard, and meant if he could to float into the haven of his hopes on the turbulent waves of party excitement. Prudent and thoughtful men foresaw, as they believed, an approaching storm, and calmly prepared themselves for the event.

CHAPTER XIV.

Bishop's communication to the Convention in 1812 on the subject of a suffragan—Doubts as to the constitutionality of electing one—Attempt to elect in 1812—The laity refused to confirm clergy's choice—Proposal to alter the clause of the constitution requiring a vote of two thirds—Parties in the Church—"Formalists" and "Evangelicals"—No effort to elect in 1813—Causes assigned for it—Proposal to admit clergymen of other denominations to Episcopal pulpits—Unanimously rejected by the clergy—Election of Bishop Kemp in 1814—Proposal to establish a theological school—Evils of a State of war—Violent opposition to Bishop Kemp's election—Protest against it—Application to the Bishops not to consecrate—Their proceedings thereon—Consecration of Bishop Kemp—Is received as suffragan—Some of the clergy apply to Bishop Provoost of New York to consecrate a Bishop for them—Failure therein—Application to Bishop Claggett—His refusal.

[1812.]

IN the interval between the Conventions of 1811 and 1812, the chief topics of interest in ecclesiastical affairs, were the choice of a suffragan, with all the kindred matters growing out of the subject. These were discussed among Churchmen, and while some few talked well and wisely on the fruitful theme, there were others who, with but slender attainments either in ecclesiastical history or the

canon law, supplied their lack of learning by confidence of assertion. The Church had then no law on the subject of assistant Bishops, and though there were some few instances of such officers in the previous history of the American Episcopal Church, yet was the ecclesiastical usage of early times but imperfectly understood by many who discoursed very fluently, if not very wisely, about Chorepiscopi, coadjutors and suffragans. What the majority of the clergy wished, it would be now difficult to say; we are at no loss however as to the desires of the Bishop. He had heard the various opinions expressed, and took occasion very distinctly to inform the Convention what he would have. From the communication made to that body by him in 1812, we should be inclined to suspect that upon the whole, he began to think, it would be better to have no aid at all in his official duties. He had, as we learn from some of the controversial pamphlets of the day, desired the consent of Dr. Kemp to become his suffragan, before he brought the subject forward at all; but the spirit of contention and strife was so rampant that he was disinclined to increase it, and his letter to the Convention might therefore have been construed into a willingness to end the quarrel by the removal of its cause.

He thus expressed himself on the subject:—"To obviate misapprehensions, I deem it my duty now

to give you an explication of the sentiments submitted to your consideration in that concise instrument, [his former letter] written on the bed of sickness.

“There are two objects brought to view in that communication which appear to me of great interest to the Church.

“The first is, whether in the present circumstances of the Church, it is expedient, and whether it is constitutional for you to endeavour to procure for me an assistant, in the discharge of the multifarious functions of the Episcopate, or not.

“The second is, what kind of an assistant, if any, shall be advisable and most proper.

“These are momentous questions; and after deliberating upon them calmly, and contemplating them dispassionately in all their aspects, they will, I hope be decided by you, in such a manner as may continue the peace and harmony, and comport with the prosperity and welfare of the Church.

“There are two kinds of assistant Bishops, mentioned by ecclesiastical writers, the one is called a coadjutor, the other a suffragan. The powers of these, as contradistinguished and defined by Bishop Gibson in his Codex, and by other writers on the subject, are said to consist in this: that the coadjutor Bishop hath an authority in the diocese, independent of the Bishop: while the suffragan’s

jurisdiction is limited, both in extent and degree, by the paramount authority of the Bishop of the diocese.

“The former kind of assistant was never meditated by me; and the admission of a divided authority in the Episcopal jurisdiction, will be strenuously opposed, as tending to disturbance, discord, and perplexity in a hitherto peaceful Church. I have heard with regret of recent infelicitous events having resulted from a collision of Episcopal authority in a sister and neighbouring diocese, which confirm my resolution to oppose an introduction of a conflicting Episcopal jurisdiction in this, should an attempt of that sort be made in my day.

“The kind of Bishops called suffragans, is known to the laws of the Church from which ours sprang. There, where the Sees are large and overflowing in population, and the functions much accumulated, it is allowable, by law, to have one or more suffragans to alleviate the weight of the Episcopal office; but this law, although passed in the reign of Henry VIII, has never, for particular reasons, been acted upon by that Church.

“The jurisdiction of the suffragan or suffragans in any diocese being vicarious, is dependent upon, and is regulated, as occasions may require, by the Bishop of the diocese.

“An assistant Bishop of the suffragan descrip

tion, is the only one I shall be able conscientiously to accept of.

“Should the Convention of the Church of Maryland, after mature and deliberate discussion be of opinion that a suffragan Bishop *may constitutionally*, and ought to be appointed in this diocese, and that such an appointment will probably be an advancement of the concerns of the Church, I shall, with alacrity, give the appointment every due facility, and shall cheerfully embrace and adopt the most advisable means of promoting its success, which God shall permit me to do.”

It is not to be supposed that Bishop Claggett meant in this letter to point out all the particulars in which coadjutors and suffragans differ ; his object was to present one strong feature of dissimilarity, sufficient in his mind to determine the question. And we hesitate not to express the opinion that in desiring a suffragan, he acted wisely. A canon of the Church now expressly forbids the election of such an officer. With all deference we doubt its wisdom and propriety. When a diocesan needs help, a suffragan, and nothing else, is just what he ought to have. We think that the day will come when the Church will discover this, and alter her present law. We have ever believed that if the nature of a suffragan's rights and duties (a subject involved in some obscurity in the English ecclesiastical law, simp-

ly from a modern misuse of terms) had been thoroughly understood, our canon would never have been such as it is. Certain it is that there is not an evil apprehended from the existence of suffragans, that may not now enter under our law of assistant Bishops. Nay we go further, and express the deliberate conviction that suffragans are less likely to disturb the harmony of a diocese than our present plan of assistant Bishops. It has sometimes been amusing to observe the panic dread exhibited at the thought of a suffragan, by men who in the next breath proved that they were perfectly guiltless of any accurate knowledge as to what a suffragan is. Still were they as perilously shocked at the mere name of suffragan, as if their holy horror had been roused by a proposition to acknowledge the supremacy of the Roman Pontiff. In rejecting suffragans, we think the Church made an unwise departure from venerable antiquity.

It will be observed here also that the Bishop appears to intimate some lurking doubt in his own mind, as to the constitutional power of the Convention to elect an assistant of any kind. This we presume arose from the fact that the constitution speaks only of a Bishop over the Church of Maryland; thus using invariably the singular number, and thereby seeming to imply that it was not within the contemplation of that instrument to

have more than *one* Bishop in Maryland at any one time.

Upon receiving the communication just laid before the reader, the Convention resolved by a majority of both orders to proceed in the election of a suffragan. By the constitution of the Maryland Church, the mode prescribed for the performance of this act was as follows: the order of the clergy was required by ballot to nominate and appoint some suitable clergyman, and a vote of two thirds of the order was necessary to make such nomination. The individual whom they had thus selected was then to be presented to the order of lay delegates, and if upon their ballot it appeared that two thirds of the laity also approved of him he was duly elected: and such is still the mode prescribed in the diocese of Maryland.

On counting the ballots of the clergy it appeared that there were but seventeen; of these Dr. Kemp had twelve and Dr. Contee five; on submitting, however, this nomination to the lay delegates for their ballot, they exercised their right, and negatived it; thirteen voting in favour of it and eleven against it. There was consequently no election. Whether this failure to elect had quickened perception to the inconveniences resulting from the necessity for a vote of *two thirds*, we know not; but so it was that by a majority of both orders, it was resolved to make

known to the several vestries, that it was proposed so to alter the constitution as to permit a bare majority of each order to elect a Bishop, and it ordered that notice should be given to all the clergy and vestries that at the next convention, the question of electing a suffragan would be considered, and here for the present the business rested. In connexion with this attempt to elect, it only remains to add that before proceeding to ballot it was unanimously resolved that to entitle a clergyman of the Maryland Church to vote for a Bishop it was not necessary that he should have been instituted.

The lines of party were now very distinct. Gradually, for several years, had they been becoming more and more plain, and this event enrolled almost every man on the one side or on the other. The fact was too obvious to permit any one to deceive himself, and the existence of the parties was therefore plainly spoken of by the controversialists on both sides. The term "evangelical" was appropriated to itself by the one, until losing its true meaning, it became but a word for designating a class; and by this class their opponents were called "formalists." We should be unfaithful to the cause of truth, if we did not in some degree condemn both these parties. There were unquestionably good men in both, and had they calmly compared opinions they probably

would have found the difference between them too slight, seriously to interrupt harmony of feeling and action; but when the spirit of party rages, little opportunity is afforded even to good men for such comparison of opinion. The violent on both sides are apt to consider their temperate colleagues as traitors. It is certain that some whose constitutional temperament was phlegmatic, but who were yet men of genuine piety, were classed as "formalists," by equally good men who infused into their ministrations all the ardour of their more excitable natures: while these last again were deemed somewhat fanatical by a portion of their brethren, whose sobriety was shocked by what they deemed an approach to irregularity and disorder. The misfortune was that these two classes did not better know and understand each other. They would then have found that though men may be equally pious and anxious to do good, yet by the wise appointment of heaven, all cannot do good in precisely the same mode. But a greater misfortune still was, that all did not belong to these classes. There were some we fear who were determined that parties should exist, and among these none was more conspicuous or industrious than the rector of St. Peter's of whom we have already spoken.

In the interval between the Conventions of 1812 and 1813, the Church was distracted by the con-

tentions of the two parties, and the publications on both sides, charged their adversaries with unholy motives and disingenuous, unchristian conduct. All was tumult. When the Convention of 1813 met, there appeared a very full representation, particularly of the laity. It is remarkable however that though notice had been given, in the previous year, of an intention to change the constitution, so as to allow a majority of the Convention to elect a Bishop; and also of the purposed choice of a suffragan, yet neither of these matters was brought forward. Of this strange silence, each party gave its own explanation. The "evangelical" class said, that their opponents were afraid to call up the question of the proposed change in the constitution, because, though a majority of the clergy was favourable to it, yet they knew a large majority of the laity to be opposed to it: and without such change, they also knew that the election of Dr. Kemp as suffragan was impossible. Hence they were silent. To the very natural inquiry why, they themselves did not call up the subject of a change in the constitution, and by the vote of a majority, which they claimed to possess, thus put the question at rest, they answered that when they attempted to do so, the house refused to entertain the motion. So also, they declined, as they said, to call up for consideration the expediency of electing a suffragan, first from a desire

to allay irritation and cultivate peace; and secondly from a delicate and friendly respect for the feelings of Dr. Kemp, who was known to be the choice of a majority of the clergy, but who would be rejected by the laity. On the other hand the opposing party stated that they also wished for peace, and let both subjects rest because, neither could be *finally decided* at that time. A concurrence of both orders was necessary, and a majority of each order, it was supposed, held different opinions. This we suspect was the true reason why the house refused to entertain the motion made by the "evangelical" party to consider the change in the constitution. The less violent members on both sides saw that it could terminate in no result but that of increased excitement.

The Convention therefore adjourned without having done any thing of moment to allay the unhappy dissensions in the Church, and another year of strife was thus reasonably to be anticipated. Before its separation however, a measure was proposed (and we believe by a clergyman) strikingly illustrative of the strength of party feeling. One of the usual accusations preferred by the "evangelical" party against their brethren, was the cold and lifeless nature of their preaching. Their sermons were said to be mere moral disquisitions, destitute of the spirit of the gospel. Hence, the accusers felt more sympathy with preachers of other

religious denominations, who by warm and animated appeals, roused their hearers, than they did with their own brethren; and some never scrupled to avow the feeling. Some of the laity also partook of it; and the proposition was now renewed, that the delegates from Maryland to the next general Convention, should endeavour to procure such a modification of the canons, as would give to rectors and vestries the power of admitting to the pulpits of the churches, clergymen of other denominations, who produced satisfactory testimonials as to character, doctrines and competency. The effect of this, was virtually to declare that the opinions held by the Church on the subject of Episcopal ordination, though they might be correct, were still, comparatively, of little importance. Now we hold a living faith in the atonement of our Lord and Saviour, to be of much more moment to a miserable sinner, than a belief in the necessity of Episcopal ordination; and yet we do not feel at liberty to reject either. We see not indeed why a comparison is necessarily to be made between them. To us, they have ever appeared to harmonize without difficulty; and nothing is more certain than that in this country, where our clergy are but a handful compared with others, consistency requires of him who deems Episcopal ordination necessary to confer authority to minister at God's altar, to be outstripped by no one in faithful-

ly, plainly and diligently setting forth the great truths of the gospel. In this country, an unevangelical Protestant Episcopal clergyman has always, to our mind, implied a contradiction. If an authentic commission to minister is confided to but few, does not that very fact impose on those few the duty of redoubled labour, and scrupulous fidelity in preaching the truth? Those therefore who assert the highest claims for Episcopacy, ought in all conscience, to be most evangelical preachers. We would not relinquish Episcopacy, but rather point out its necessary union with the most searching ministerial faithfulness in the pulpit. To have adopted the proposition now before the Maryland Convention, would have been to decree, with fatal certainty, the destruction of Episcopacy. It must in time have died a natural death, for the people would have been taught, in a mode the most intelligible, that those who professed it, considered it a trifle. The fate of the proposal was we think creditable to our Maryland brethren. It underwent a long and animated discussion, and when the vote was taken by orders, the clergy rejected it to a man, and with them a large majority of the laity concurred. Does not this little incident show, that many of the members of the Church were arrayed in mutual opposition, simply because they did not, or would not understand each other? Even the spirit of party slumbers, as we see, when a point of

principle is threatened. With all their wrangling, both sides yet loved the Church better than they did those, who were of a different communion. A vigorous assault made upon it from without, would, we believe, have made most of them forget their animosities. They might have been persecuted into unity. And here, before leaving this subject, to guard against misapprehension, let it be said, once for all, that in the foregoing remarks no wish exists to attack the peculiarities, or offend the feelings of Christians of other denominations. The writer is an Episcopalian, and in love to the Church, is writing chiefly for the information of Episcopalians. When he ceases to write in accordance with his professed principles, he ought to cease to write at all.

Painful as is the theme that now engages our pen, we have not yet done with it. There is more remaining to be told of the story of ecclesiastical feuds. In 1814, the Convention again assembled. The attendance however was not as numerous as that of the previous year. There were two less of the clergy, and seven less of the laity. And now was brought forward another measure, that by many was supposed to be the offspring of party considerations only, and such it may have been, though we have seen no evidence to prove it, and we know it to have been a time when almost any measure proposed by either side was likely to be

viewed with suspicious distrust. This measure was a proposal to open a communication with the authorities of the sister Church of Virginia, as well as of other dioceses, if deemed expedient, on the subject of uniting with Maryland in the establishment of a theological seminary. The general seminary of the Church was not then in being, nor had any diocese founded a school for theological instruction, while it was obvious that the necessities of the Church demanded some provision on the subject. After consideration the measure was negatived by the Maryland Convention.

In addition to the infirmities of the Bishop, presenting an insurmountable obstacle to the full discharge of his duties, there was now existing another cause of less frequent visitations, in the unhappy condition of the country. We were then in the midst of the last war with Great Britain; and Maryland had her full share of its consequences. The vessels of the enemy were often in the Chesapeake bay, the soil of Maryland was invaded more than once, sometimes a town was laid in ashes, sometimes too a clergyman was made a prisoner and carried on board the enemy's ships, so that, had the Bishop been in perfect health, he would have found it at times impossible to visit the eastern shore without the risk of capture. In this situation, considering the contentions in the diocese as fatal to the prospect of

electing a suffragan, the Bishop suggested to the Convention the revival of the old canon, already spoken of, authorizing the diocesan to call in some of his presbyters to assist him in the work of visitation. This suggestion, however, the Convention did not adopt. They did, however, unanimously adopt a change in the constitution, proposed the previous year, whereby, all officiating ministers of the Church regularly appointed to the charge of congregations, incorporated agreeably to the laws of the State, and the canons of the Church, were admitted to seats in the Convention.

Finally, among the last acts of the Convention, it was resolved that the infirmities of the diocesan, and the exigences of the Church required the appointment of a suffragan. On this resolution, in a vote by orders, nine of the clergy and eighteen of the laity were in the affirmative; and eight of the clergy and seven of the laity in the negative. When however the convention proceeded, as it immediately did, to the election, the result of the clerical balloting was just as it had been on a former occasion; there were twelve ballots for Dr. Kemp, and five for Dr. Contee: when it was presented to the laity, eighteen ballots were given for Dr. Kemp and seven for Dr. Contee; the former gentleman was therefore declared to be duly elected suffragan by a constitutional majority of

two-thirds of both orders, and his testimonials were signed accordingly.

Scarcely was the fact made known, before it became the signal for raising the note of opposition to a louder tone than it had ever reached before. The election was looked upon as the consummation of a series of measures that had been long in progress, to establish the supremacy of the high church party in Maryland, before the decease of Bishop Claggett; lest if that event were waited for, it might be found that the evangelical party had gained strength enough to fill the vacant Episcopate. At least, so said some of those who were now loud in their opposition to the consecration of the suffragan elect. They charged their opponents with having availed themselves of the opportunity afforded by a Convention composed of but few, to accomplish their purpose. They accused them of having lulled vigilance into a false security by seeming to acquiesce in the determination not to elect, implied in the silence of the Convention of 1813. They condemned the measure as one that had been wrought out by a fraudulent surprise. A protest to the house of Bishops, against the consecration of Dr. Kemp, was prepared, and signed by six clergymen and seventeen lay delegates. In this instrument, they objected to the consecration:—

“First, because the office of suffragan bishop is

unknown to the Constitution of the Church in Maryland, and it is believed that without an amendment to that constitution, all his acts and ministrations will be invalid and of no effect."

"Secondly, because it is believed that the election of the suffragan Bishop did not meet the approbation of the constitutional majority of the clerical and lay deputies who composed the convention of 1814." This objection was founded on the alleged fact that many of the members, supposing the measure would not be introduced, had left the Convention and returned home.

"Thirdly, because it is believed that the sense of the Church upon this subject was substantially expressed by the silence of the Convention of 1813, to whom the consideration of it was referred; and that it was due to the sense of that Convention, thus expressed, not to revive the measure without a renewed reference of the subject to the Church at large."

"Fourthly, because it is believed that the election of the suffragan Bishop was achieved by surprise, by premeditated management; and therefore that it will inevitably tend to disseminate discord and dissatisfaction amongst the ministers, parishes, and congregations of the Church; and be ultimately productive of dissensions and division."

One of the lay gentlemen who signed this pro-

test, Mr. Key of Georgetown, did not concur in the charge of "premeditated management," but was inclined to think that the gentlemen of the Convention of 1814, were tempted to carry their measures by suddenly and unexpectedly finding that they had a sufficient majority. He therefore thought the object had been effected by surprise and unfairly.

An effort was made by some of the protesters to draw into a precedent the case of Dr. Griffiths, elected the first Bishop of Virginia, but never consecrated. It was said that the cause of his non-consecration was the unfairness of his election. This, as we have explained in a previous volume, was entirely a mistake.¹

We pass on now to consider the fate of the protest when it came to the hands of Bishops White, Hobart, and Moore, who were the consecrators of Dr. Kemp. They gave the most serious consideration to the protest because it was an obvious duty so to do, and more particularly in this case because they knew some of the signers to be gentlemen of high respectability and standing in the diocese. We shall be the more minute in our history of this matter, because the views and proceedings of the Bishops established certain rules and prin-

¹ Narrative of the P. E. Church in Virginia.

ciples that may be valuable, as precedents at a future day, to the Church at large.

On the first objection that the constitution of Maryland knew no such officer as a suffragan; the Bishops held, First, that such an officer was not forbidden by the constitution, and though not expressly permitted, might yet be chosen if the condition of the Church made it expedient, on the principles furnished in such cases by the most ancient ecclesiastical usage. It was a measure of frequent occurrence in the history of the Christian Church. Secondly, that there was precedent for it in effect, in our own history; an assistant Bishop had been chosen in New York, though the constitution of that diocese was silent on the subject of such an officer. Thirdly, that as the Bishop of Maryland had in 1811 proposed the measure himself, he did not then deem it at variance with the constitution of his diocese; and it did not appear that he had subsequently changed his opinion. That in 1812, it was not deemed unconstitutional by the Convention of Maryland, for they had actually attempted to elect a suffragan, and among those making the attempt were some of the present protesters. No one then held it to be irregular.

The second objection denied that Dr. Kemp had been elected by a constitutional majority. The Bishops held that as the journal of the Convention showed the presence in that body of a

constitutional quorum, and also showed the election of Dr. Kemp by two thirds of that quorum, voting as they were required to do, by orders; they could not look beyond the record, as to the numbers concerned or interested in the election.

The third objection was that the silence of the Convention of 1813 was, under the circumstances, equivalent to a Conventional determination not to choose a suffragan at all. The Bishops held that as the reason of that silence did not appear either on the journals or from evidence before them, it did not necessarily import what the protesters supposed. It might have been deemed inexpedient at *that* Convention to elect, without thereby determining the entire inexpediency. But from the journals it did appear that of the nineteen clergymen and thirty two laymen, present in the Convention of 1813, not one-third had signed the protest. And further it appeared that the members of 1814 when the choice was made, were precisely those who sat in the Convention of 1812, and balloted for a suffragan without then making any objection on account of the paucity of electors.

As to the fourth objection resting on the ground of surprise and management; the Bishops held that there was no evidence of these things on the journal, and that they were not a sufficient ground on which to set aside an election. In the collision

of parties, a mutual charge of this nature is common.

But there was more than the mere protest to be considered. Two clergymen of Maryland addressed to the presiding Bishop, a letter charging the suffragan elect, with being "unsound in the faith, and an enemy to vital godliness." If the signers of the letter had substantiated these charges, the Bishops declared that they would not have consecrated. But they neither alleged specific facts, nor produced evidence, nor had they given Dr. Kemp the slightest notice of their accusation. They asked also to be heard before the Bishops by counsel. This request the Bishops refused on several grounds; the principal was this. There were other parties interested. If Dr. Kemp was to be considered the other party, then was it improper to put him unexpectedly on his defence, upon a charge never before made known to him, and at a spot remote from his place of residence. If it was said, let his consecration be delayed, until he answers the charge; the Bishops were not prepared by such delay, to subject to reproach the character of a clergyman who came before them with a vote of two-thirds of a lawful Convention, and who had been respected in the diocese from which he came, nearly twenty-five years; and this too at the request of two clergymen, who had a right to seats in the Convention of that diocese,

and failed *there* to prefer these grave charges, while minor objections had been urged.

But was Dr. Kemp in truth the other party? The Bishops thought he was not. The other party was the Convention of the diocese of Maryland. That body had a right to be heard on the question whether, one whom they declared to be pious, and qualified to be their Bishop, was so. But the Convention of Maryland had no notice of these charges; nor had they counsel present.

Further, the Bishops held that there had been irregularity in the course pursued by the protesters. If the protest was designed to arrest the consecration, it should have been communicated in the first instance to the Convention that made the election.

On the whole, the principles established by the Bishops in this case seem to be substantially these:

1. That on the election of a Bishop, the members of the Convention electing, who are opposed to the proceeding, have a right to protest against it; and to bring the subject before the consecrating Bishops.

2. That they ought first to bring it before the Convention and give them notice of their intention to submit it to the Bishops; as well as of the grounds of objection, specifically stated.

3. That the Bishops seem rather to consider the question of the lawfulness of an election, as one

to be settled by the Convention making it ; and are not disposed on their part to look beyond the records of the Convention as set forth in its Journals. That ordinarily, a charge of surprise and management are not sufficient grounds on which to set aside an election ; but it is to be supposed we apprehend that, if after due notice to the other side of the intention to prefer such an objection, the Bishops should become satisfied by evidence, that there had been fraud and stratagem, such as procuring the absence of members by misrepresentation, and thus affecting the vote ; they would either decline to consecrate, or at least refer the matter back to the Convention electing, and await its expression of opinion. We hazard this opinion, because without some course of this kind, there would be no remedy for a case in which a majority of the diocese might be actually imposed on by a fraud, in the choice of a Bishop.

4. However lawful and regular may have been the election, if after due notice to the Convention of the intention to prefer a charge of unsoundness in the faith, or immorality of life, such accusation should be sustained by proof to the satisfaction of the Bishops ; they would refuse to consecrate. It is not only their right but their duty, as Bishops, to do this, independent of all legislation on the subject. The matter is one between God and their consciences.

5. The Bishops are not disposed, in cases of this kind, to hear the parties by counsel.

Having thus, after consideration, disposed of the protest, the Bishops communicated their opinions, with the grounds of them, to Bishop Claggett, and on the first of September 1814, consecrated Dr. Kemp as Suffragan Bishop of Maryland :¹ and as such, Bishop Claggett received him.

Upon the consummation of this business, seven or eight of the clergy, who were called by the party term, 'evangelical,' resolved to secede from the Church, and establish a separate Episcopal communion. The chief actor in the business was Mr. Dashiell, the rector of St. Peter's. He was now quite prepared to be the leader in a schism, and to perpetuate it if possible. He wished, he said, to make "the evangelical part of the Church, a distinct body, and to enlarge its boundaries by admitting faithful men to labour in the work of the Lord."²

The first effort made to accomplish his object, was to obtain if possible, the Episcopate from some quarter ; for he still professed to be, in principle, an Episcopalian. Fearful, however, that the minds of the Maryland laity who were dissatisfied with the late election and consecration,

¹ Bishop White's memoirs of the Church, 224 et seq.

² Dashiell's address to the P. E. Church in Maryland, p. 13.

were not prepared for the co-existence of two distinct Episcopal Churches in this country, as indeed they were not, he laboured hard, in the address from which we have already quoted, to prove from the existence of the Moravian Church in the United States, that there was nothing to be apprehended from the course he proposed to pursue. In fact he attempted to show that the cause of religion would rather be promoted by an increase of distinct communions: and in the desperate argument by which he sought to sustain a desperate cause, he referred to the Presbyterian Church as being "the most respectable in the United States, both for numbers and learning," and stated that though under the four distinct governments of "the General Assembly, the Seceders, the Congregationalists, and the Covenanters," all lived together in the utmost harmony, and emulated each other in promoting the great cause of religion. In the unhappy divisions now distracting the peace of the very communion to which he alluded, time has shown the fallacy of his conclusions.

But where was the Episcopate to be obtained? The peculiar situation of the diocese of New-York attracted his attention. It had within it, at that moment, three Bishops. Bishop Provoost, its first diocesan, Bishop Benjamin Moore, and Bishop Hobart. Bishop Provoost in 1801 had formally re-

signed his "Episcopal jurisdiction:" Bishop Moore had been consecrated his assistant or coadjutor: circumstances afterward arose, that led Bishop Provoost to claim the rights of diocesan; the Convention of New-York refused to acknowledge the claim. It is not here necessary to enter in detail upon the history of this transaction: it belongs to a future volume of our work, and we will there set forth the strong grounds on which, in this business, the diocese of New-York asserted her independent rights. Suffice it for the present to say, she did not acknowledge Bishop Provoost as her diocesan. To Bishop Provoost therefore, Mr. Dashiell and his associates turned, and endeavoured to obtain from him the consecration of a Bishop.

It has seldom fallen to our lot to peruse any writing, in which the effort to conciliate by flattery, and the affectation of sympathy, is more apparent, than it is on the face of this letter to Bishop Provoost. The flimsy veil is quite transparent.

It begins with an assurance of the "unfeigned reverence" with which persecuted piety approaches one who, for conscience sake, has been the victim of persecution. It next depicts the trembling and painful anxiety, with which, for years, the writers have contemplated the fearful strides of ecclesiastical tyranny in the Church of New-York, and the sorrow with which they are

overwhelmed, as they reflect on its fatal success. It dilates with the kindling glow of impassioned eloquence on "the despotic power of that gigantic hierarchy," which "beats down all who have opposed its tyranny;" and piously weeps under the distressing apprehensions entertained "for the purity, usefulness and reputation of the Protestant Episcopal Church of America." Having thus established in New-York an ecclesiastical tyranny, not less oppressive than the domination of the Pope himself; and very clumsily betrayed to the Bishop that they meant to flatter him into wrath, and turn his anger to account; they proceeded to tell the story of Maryland affairs. Next follows a vituperative ebullition against the "party that has so dishonestly seized the government" of the Church; and the Bishop is informed that "but one way remains to rescue her from impending ruin; the consecration of some clergyman of an independent mind, whose qualifications for the high and responsible office of Bishop shall be sufficiently avouched. The consecration of such a man would, under God, not only prove the salvation of the Church of Maryland, but open a door of refuge for oppressed piety in every part of the Union. If it cannot be obtained, the probability is, that every pious clergyman who will maintain a due regard to his character and his rights, will

be either crushed into insignificance and uselessness, or expelled from the Church."

Next was introduced the sweetest ingredient in this huge bolus of adulation. It was the very manna of the mixture. "Entertaining these views, and deeply anxious that the doctrine, discipline and worship of the Protestant Episcopal Church of America might be preserved in their purity, we have looked around for some Apostolic Bishop, from whom we might obtain, for some duly qualified clergyman, the office and powers of the Episcopate. Our attention has been drawn to yourself; placed in peculiar circumstances of liberty and independence by the persecuting injustice of that hierarchy from whose tyranny we would escape. Would you, sir, give the desired consecration to a clergyman, whose qualifications in piety, learning, and attachment to the doctrine, discipline, and worship of the Protestant Episcopal Church would be attested by at least six clergymen of our Church?"

"We are deeply sensible that it is an important step we require you to take, but we are fully persuaded that it would prove as beneficial as important. To whom can we so properly look for relief from our difficulties as to yourself? You are at this moment an independent Bishop in the Church of Christ, made and declared so by those men who have robbed you of your authority and rights

as diocesan of New-York, and who display a determined resolution to seize upon the rights and privileges of every clerical member of the Church, to be disposed of according to their sovereign pleasure. Will you refuse, sir, to exert that power with which God has clothed you for the advancement, protection and support of the cause of piety? We trust not: we trust we shall find in you a spiritual father, alive to the best interests of man, and determined to promote them, regardless of the frowns of a persecuting tyranny.

In order to remove any objections which may spring from respect to Bishop Claggett, we here pledge ourselves that no Episcopal act shall be performed during his life, without his approbation and consent. For his death we should have waited, had not your advanced age made us apprehensive that we might forever lose the opportunity of making this application."

This was the boldest and most open effort, ever made in the Episcopal Church of the United States, to introduce a schism. And when it is remembered that our Bishops solemnly swear to uphold our doctrine, discipline and worship; and that Bishop Provoost, though consecrated in England, was in all good faith bound to preserve the unity of the Church for which he was consecrated, as much as if he had taken such an oath, we confess that we think the letter was a glaring insult,

because it contained what Bishop White has properly stigmatized as "an unprincipled proposal."¹

Beside, when it is remembered that Bishop Provoost never made the slightest approximation to the tenets of that school, to which the writers of this letter belonged; that living in retirement he troubled himself very little about ecclesiastical parties, and certainly had no sympathies in common with the class termed "evangelical:" there is something worse than ludicrous in the "unfeigned reverence" professed for the "Apostolic Bishop." There probably was not one of the signers to this letter, who would not have called the Bishop, a "formalist," and refused to fraternize with him as an "evangelical."

The letter found him on the bed of sickness, he never answered it, perhaps he never even read it. We have however no hesitation in saying, that had he replied to it, his character for truth and honour justifies the belief that he would have indignantly declined the proposal.

Disappointed in this application, the promoters of schism (we cannot with truth call them otherwise) were still not discouraged. Their next application was to Bishop Claggett himself. They were emboldened to take this step, they said, because the Bishop had frequently declared to them

¹ Bishop White's memoirs, p. 228.

that he had no hope of any revival of religion in the Church save from the zealous exertions of the evangelical clergy. And was it then the whole body of those who were called the evangelical party, that were thus inviting the Bishop to make a division in his own diocese? It would be a foul libel on that party to say so. It was a little handful of seven, or at most eight, clergymen, that claimed thus to express the opinions of all. There were doubtless several, excellent men too, both of clergy and laity, who were not satisfied with the recent proceedings in the election of the suffragan; but they valued their own souls too highly, and loved the peace of the Church too well, to become schismatics. They would have been most happy to see an increase of heartfelt piety, where perchance they thought it was wanted, among their opponents in the management of ecclesiastical matters; but they thought that thus wilfully to rend the body of Christ, would be a most unhappy illustration of the spirit of their own religion. Let the blame then of this unholy effort rest where it should, upon the individuals who made it, not upon the party to which they claimed to belong.

In this application to Bishop Claggett, there was this language:—"we hereby solemnly, as in the presence of God, assure you that we will never receive Dr. Kemp as our Bishop. This is our unalterable determination." And this was an ar-

gument to use with their diocesan, who had accepted the suffragan, to induce him to gratify their wishes; and furnish them with a Bishop of their own! It need hardly be said that Bishop Claggett refused to comply with their request. Had he done otherwise, and thus brought a schism into our communion, his name in the American Episcopal Church, would indeed have been remembered; but so remembered, that every good man would prefer to such a memory, the kindness of the world's complete forgetfulness.

CHAPTER XV.

Bishop Kemp has the Eastern shore assigned to him—Conciliatory conduct of the suffragan—Convention ratifies the proceedings in the election of Bishop Kemp—Case of Mr. Dashiell—He is degraded for contumacy—Upheld for a time in St. Peter's—Part of the congregation apply for a *mandamus* to the vestry to elect another rector—The court divided in opinion—The Convention refuses to acknowledge St. Peter's unless it will submit to the laws of the Church—Union restored—Election of Dr. Henshaw to St. Peter's—The "Evangelical Episcopal Church"—End of Mr. Dashiell's schism—Death of Bishop Claggett—Sketch of his life and character—Bishop Kemp assumes jurisdiction as diocesan—Recognized by the Convention—View of the Church—its improved condition—Character of the inhabitants of Maryland—Necessity of clergymen adapted to that character—Bishop Kemp recommends associations of the clergy

[1815.]

BISHOP Claggett assigned to his suffragan, the Eastern shore as his principal field of labour; and entering upon his duties, Bishop Kemp ere long reported to the Convention of 1815 that the clergy of that region, as a body, combined learning with piety, and zeal with correctness, and that the laity in general were persons of great worth and stability of character, and many of them truly pious. The diocesan was unable from sickness to attend the Convention, and the suffragan there-

fore called attention to those topics of a general nature that seemed to him important. To the clergy he suggested that it would be best to arrange the subjects of their preaching in such manner as to bring forward systematically and frequently the grand distinguishing features of Christianity ; and in the exposition he gave of what seemed to him to be those features, he certainly presented nothing but that which might have come from the lips of the most zealous of his "evangelical" hearers. The much neglected work of catechising the young, he also enforced as of great importance. To the laity he addressed a paternal admonition to provide a competent maintenance for their ministers, to keep their sacred edifices in repair, and above all things, to recommend by their example the beauty of holiness.

Indeed, the whole tenor of the suffragan's remarks, as well as the course of his conduct, was evidently designed to be conciliatory. How far he succeeded in his effort, we cannot say. There was still no doubt much excitement of feeling ; but there was also too much piety in both parties, to disturb the peace of the Convention by an intemperate ebullition of anger. We are inclined to think that the suffragan's language and manner were not without a happy effect. The Convention was well attended though not as numerous as had been that of 1814, when the election was made,

and there were present now but eight members both of clergy and laity, who had attended in the previous year. Many no doubt were absent from disaffection, and Mr. Dashiell and his adherents had solemnly sworn never to acknowledge the authority of Bishop Kemp. Of course their presence was not to be expected. Several clergymen however who were not participators in the election now took their seats; and after a day's consideration, a vote was unanimously passed, approving of the proceedings of the former Convention in the election of a suffragan; and also of the resolution adopted by them, declaring that, in the event of his surviving Bishop Claggett, the government of the Church should devolve on him as diocesan. "And" (thus the resolution concluded) "as we consider it expedient, that measures so deeply affecting the interests of the Church, should not be lightly weighed, nor partially viewed, we do therefore solemnly declare that, on the most mature reflection, it is our decided opinion, that the said proceedings have been most advisedly had, for the good of our holy Church."

The opposition of Mr. Dashiell was not at all diminished, but rather increased by these proceedings. It so happened, however, that at the close of 1815, the standing committee felt obliged, acting in obedience to the canons, to represent to the Bishop that common report charged Mr.

Dashiell with "scandalous, immoral and obscene conduct;" and to recommend to the Bishop to institute an investigation. The investigation was directed to be made, and the standing committee informed the accused of the charges. Mr. Dashiell then waited on the Bishop and told him he was determined not to be tried by the committee because many of them were his personal enemies; and requested the Bishop to withdraw his order for an investigation. This being, of course, refused, he then demanded of the Bishop a dismissal from the Church of Maryland, and produced a letter from his vestry, certifying to the Bishop, their confidence in the purity of their pastor. The Bishop then gave to Mr. Dashiell an attested copy of this certificate, and with this, appearing to be satisfied, he withdrew; but he had no letter dimissory. A few days before the time appointed for an investigation by the standing committee, Mr. Dashiell addressed a communication to the Bishop, reiterating his request that the proceeding might be stopped; and in the event of refusal, he begged that his letter might be considered as a "renunciation of all connexion with the Episcopal Church:" and that the Bishop would furnish him with a certificate of his having made such renunciation. This latter request was complied with, and when the standing committee met, Mr. Dashiell refused to appear, and sent to the committee

the Bishop's certificate of his renunciation, as evidence that he was not amenable any longer to the authority of the Church. The Bishop's certificate was nothing more than an authentication of an extract from Mr. Dashiell's letter to him. It contained no recognition of his right thus to renounce, nor did it in any mode assent to the act as valid. Upon the production of this document, the committee wrote, demanding of Mr. Dashiell whether they were to understand his renunciation to be of all connexion with the Church in Maryland only ; or with the Protestant Episcopal Church in the United States. In other words, was he or was he not an Episcopalian? He answered that he had renounced all connexion with the Protestant Episcopal Church in the United States. The committee, considering such unrecognized renunciation, made to escape investigation, as utterly invalid, then informed Mr. Dashiell that the trial must proceed. He, however, disregarded their notice, and failing to appear, the committee determined that he had subjected himself to all the penalties of the Maryland canon on the subject of contumacy. They therefore recommended to the Bishop to pronounce the sentence prescribed in cases of contumacy, which extended "to the total disqualification of him for exercising any ministerial functions in the Church, and to the exclusion of him from church-member-

ship." The Bishop solemnly pronounced the sentence. But even then, this terrible penalty might have been avoided. By the law of the Maryland Church, a sentence so serious as this, is never absolute, if the party affected by it, will, within six months from the time it is pronounced, appear and take his trial. But this Mr. Dashiell would never do, and therefore the standing committee in due time recorded on their minutes that he had "effectually and forever forfeited all clerical and ministerial office, functions and privileges:" and thus ended this most painful and severe case of discipline.

But this was not the end of the trouble occasioned to the Church by the conduct of Mr. Dashiell. He had friends in the congregation of St. Peter's, of which he had been rector, and they upheld him. The Bishop officially communicated to Mr. Dashiell the sentence pronounced against him, and received a most insulting letter in reply. He also caused notice to be given to the vestry of St. Peter's that, pursuant to the canons of the Church, their former rector had been excommunicated and was therefore no longer eligible as their minister. By the canon of Maryland, it was made the duty of a vestry, on the occurrence of a vacancy in the rectorship, immediately to report it to the Bishop. The vestry of St. Peter's made no such report, and the degraded clergyman,

still occupied the parsonage and officiated in the Church. To this, a part of the congregation was not disposed to submit. Several of the pew holders therefore determined to seek redress before the civil tribunals of the country. Accordingly they applied to the court of Baltimore county for a rule on the vestry, to show cause why a *mandamus* should not be granted, commanding the vestry to report the vacancy in the rectorship to the Bishop; enjoining and prohibiting them from further permitting Mr. Dashiell to occupy the parsonage and officiate in the Church; and commanding them also to choose a minister to perform duty therein. The interest felt in this suit was very great, for the case had attracted the attention of the whole Church, and some of the ablest gentlemen of the bar in Maryland, were employed in it. It came on for hearing before Judges Nicholson and Bland, and after full argument, the court held it under advisement. Upon delivering their opinions, it appeared that the chief Judge, Nicholson, held that the *mandamus* ought to issue on the third branch of the prayer of the petitioners, commanding the vestry to proceed to the appointment of a clergyman of the Protestant Episcopal Church for St. Peters. Judge Bland however held that the writ ought not to be granted on any branch of the petitioner's prayer; and as the court was thus divided in

opinion, the rule to show cause was, of course, discharged.

It would be of little interest to the general reader to present the technical learning involved in the case. The opinion of Judge Nicholson, however, was so able and satisfactory that it was generally admitted by the profession to be correct; and the point was therefore in some degree settled. But in that of Judge Bland, there were some startling positions: he held that the right in Maryland to choose a minister and make a contract with him, was "so mingled and blended with spiritual and religious considerations, that a civil tribunal could not separate them; and therefore, could have no authority to interfere with the appointing or choosing of a minister at all." This doctrine did not concern the Episcopal Church alone. All denominations of Christians saw at once that they had a common interest in this subject, inasmuch as it involved the maintenance of rights and principles upon which the religious liberty of all depended. There was no body of Christians therefore in Maryland disposed to acquiesce in this judicial opinion; but the excitement it produced quietly subsided in a short time, from the conviction entertained that the opinion would do no harm, inasmuch as very few, if any of the profession, believed it to be law.

But whether the courts of the country removed

Mr. Dashiell from St. Peter's or not, was a matter which the Convention of Maryland would not permit to affect their conduct. They respected themselves too much not to discountenance the vestry of St. Peter's Church, and to uphold their own authority. "It is the duty of this Convention (say they in 1816) explicitly to make known its opinion. The vestry and congregation of St. Peter's Church cannot be permitted to remain a part of the Protestant Episcopal Church in Maryland, unless they will conform to its discipline, government, and form of worship. Submission to its laws and constituted authority must be exacted by the Church of all its members. If the vestry, or any part of the congregation of St. Peter's Church, will not separate from Mr. Dashiell, the unavoidable consequence must be, their separation from the Church of this diocese." And in this language, men of all parties in the Convention joined. There was no hesitancy on the subject: the sentiment above expressed was adopted by an unanimous vote. And we may here, (though we thereby anticipate a little) as well bring to a close this sad story. Mr. Dashiell did not remain much longer at St. Peter's: the vestry and congregation did not cease to be a part of the Maryland Church; but electing their present rector, the Rev. Dr. Henshaw, continued in union with their brethren.

The unhappy cause of most of this trouble was

however not yet quiet. One more desperate effort he made, and it was his last. He attempted to establish what he called "the Evangelical Episcopal Church," and by the act of ordaining, assumed to himself the exercise of Episcopal authority. Few, very few of the clergy adhered to him. The Rev. Mr. Handy, the Rev. Alfred Dashiell, and the Rev. William Gibson were all. Of the first of these, we know nothing save that he was a young deacon; the second was the son of the individual whose melancholy story we are relating, and the third had been suspended from the ministry for intemperance. These three were all degraded by Bishop Kemp upon their renunciation of the ministry of the Church, Mr. Dashiell himself removed from Maryland to a distant part of the United States; and thus ended this schism.

The Bishop however who had been so much disturbed in his latter days by the opposition of his factious presbyter, did not live to see this termination of Mr. Dashiell's career. In 1816, Bishop Claggett was gathered to his fathers, after an episcopate of twenty four years.

He was born at White's Landing, on the river Patuxent, in Prince George's County, Maryland, on the second of October 1742. His father was the Rev. Samuel Claggett, who was for many years rector of a parish in Charles County; and who is represented as having been a man of con-

siderable talents and great piety. Deprived of this parent by death, at the early age of thirteen, the Bishop had gained but little from his instructions. After this loss, he was placed under the tuition of a Mr. Philipson, by whom he was prepared to enter college. He went to Princeton, then under the presidency of Dr. Finlay, and in the year 1672 received his diploma as bachelor of arts. Under whose direction he pursued his theological studies, we are not informed; but it appears that he was ordained a deacon, by the Bishop of London, on the 20th of September 1767, and on the 11th of October in the same year, and from the same hands, received orders as a priest. He immediately returned home and took charge of All Saint's parish in Calvert County: here he continued as rector until the war of the revolution. When peace was restored, he took up his residence in St. James' parish, Anne-Arundel, and officiated alternately in that, and in his former charge of All Saints. In the year 1791, he removed to the family seat at Croom, in Prince George's County, and there resided until his death. In the latter part of his life, his infirmities prevented him from an extensive and active performance of Episcopal duties.

Bishop Claggett lived in trying times. After the war of the revolution, when it became necessary to model anew the polity of the Church, and

when it had many prejudices to encounter, he bore his part faithfully and well. Without being a bigot, he valued as they deserved, the doctrines, liturgy and order of the Church. He was a well informed Episcopalian, and therefore yielded nothing on the subject of the ministry that it became him to retain: he opposed the spirit of innovation that surrounded him, and defended evangelical doctrines, during a period peculiarly favourable to the spread of error and delusion, by ignorant teachers. His manner in the pulpit was impressive and commanding; his sermons held forth Christ as the only Saviour. Very well read in ecclesiastical history, and in the best divines of the Church of England, he had an unusually retentive memory, and was therefore always ready. Dignified, yet courteous, he was affectionate and friendly toward his clergy, and, with the melancholy exception that our previous pages show, he received from them every mark of respect and esteem. He was very much beloved by his own parishioners, and well deserved it, for he was an affectionate and faithful rector. The greatest weakness of the Bishop, as some have thought, arose from his sometimes permitting a spirit of conciliation to degenerate into a want of firmness and decision; but if such were the case, of which we are by no means certain, it was an infirmity so amiable, that in the

multitude of his good qualities, we may well consent to bury it out of sight.

Immediately upon the death of Bishop Claggett, Bishop Kemp issued a pastoral letter, in which after stating his claim to be considered diocesan, he proceeded to set forth the principles by which he would be guided, and exhorted all parties to unity and love. He avowed his purpose "with divine aid to carry into effect every part of the discipline of the Church," which she had seen fit to attach to his office; yet in all difficult cases resorting to the counsel of his brethren.

In 1817 the Convention met with Bishop Kemp as diocesan, for the first time. He had now made extensive visitations, and been received with great kindness and respect, and had "the happiness to declare, that Christian unity and love had nearly suppressed that party spirit which once disturbed the diocese." There would seem however to have been a lurking fear in the minds of some, that a hidden fire might be slumbering under the embers of former disaffection, and that on the first favourable occasion it would once more blaze forth with fury. It was referred therefore to a committee of the Convention to report whether any step was necessary to give to Bishop Kemp entire jurisdiction. The committee reported that nothing was required, more than had been done, to make him diocesan; yet, *ex abundanti cautela*, they re-

commended a resolution confirmatory of his rights as successor of Dr. Claggett, and Bishop of Maryland, which was adopted. The acknowledgment of the ecclesiastical authority by St. Peter's, and its happy return to a complete union with the Church, seem to have been viewed as a measure so gratifying to the feelings of all, that it called forth from the Convention a special and unanimous expression of joy and gratitude: and well it might; it was honorable to the hearts of all parties that they felt "how good and pleasant a thing it is for brethren to dwell together in unity." A society was formed for the advancement of Christianity in the diocese of Maryland, the object of which was to raise funds for the support of missionaries, and the education of young men for the ministry; and a committee was appointed to address the Church on the subject. In this really beautiful address, than which none could be better or more appropriate, an eloquent and touching appeal is made to the hearts and understandings of Christians: it is founded upon a body of facts that present, in a condensed view, a picture of the Church, on which we may rely, for the Convention attested its correctness. That picture shows us that, notwithstanding all that had been done, the Church of Maryland recovered very slowly from the effects of the revolution. The Convention, through its committee, thus speaks:—

“ The declining condition of our Church has, for several years, been seen with grief and anxiety, by all her intelligent members. What is now the state of religion in the Church of Maryland ? Is Christianity gaining or losing ground ? Does the Church which the Son of God purchased with his blood, still retain her numbers ? Or are not her numbers wofully decreased ? Is not her spirit bowed down and sunk ? The most inattentive observer, if he be a disciple of Christ, must admit, that there exists much greater cause for fear and sorrow, than for hope and joy. In those places indeed, which are favoured with the constant ministration of the word and sacraments, we generally find these means of grace, producing their natural fruits in the lives and conduct of the people. But, in other places, we behold a condition of things which awakens the most melancholy apprehensions. Where there is no ministry the morals of the people grow, from year to year, more loose and depraved. No person who has arrived at the middle stage of life, can say with truth, that he does not observe in the vacant parishes, a lamentable declension of general habits and manners. Have we not then much reason to fear that unless some powerful principle be set in motion to counteract the increasing corruption of the times, the next generation will greatly exceed the licentiousness and profligacy of the present ? Now to what

cause may we with more justice ascribe this degeneracy than to the decay of the Church; which originating in the want of a sufficient number of ministers, has induced a disuse of religious ordinances, and a lamentable deficiency of religious instruction? Consider the exterior state of the Church and say whether this does not amply and wofully explain the evils of her interior condition? Of the fifty parishes which the diocese contains, the greater part are vacant. The forty clergymen, who, about fifteen years ago, laboured in the ministry, are reduced to twenty seven. Five whole Counties, Alleghany, Queen Anne's, Caroline, Dorchester and Worcester, are without a clergyman; and among the other Counties, there is not one which possesses a sufficient number. We claim more than eighty places of worship; but of these, some do not exhibit one stone, or one brick, lying upon another; and of the rest, seven alone have divine service twice on every sabbath; five are opened once on the same day, several only once in two or three weeks; and many, for years past, except when accidentally visited by travelling preachers, have been occupied by the fowls of the air and the beasts of the field. Are not these melancholy facts in the condition of our Church, sufficient to account for the moral darkness which is overspreading the land?"

This appeal we have some reason to hope was

not in vain. The next Convention showed a large attendance and great unanimity. The number of the clergy had increased, and the Church exhibited evidences of rising prosperity. A most gratifying proof that she had not been forgotten by all, was furnished in the fact, that the Bishop was called on to consecrate a new stone Church, erected entirely at the expense of an individual. The Bishop had been active and diligent, but that drawback on Episcopal usefulness, the care of a parish, had limited his means of doing good in his office. Still, the aspect of affairs was more cheering than it had been. "I think," said the Bishop in his address, "we may fondly venture to hope, that the clouds which have obscured the face of the Church in this diocese, have been in a great measure dispelled. There was undoubtedly a new impulse given, nor was it temporary merely. A pastoral letter, at the request of the Convention, was written to enforce upon Episcopalians the duty of family prayer and the religious instruction of the young, while Sunday schools were greatly multiplied in the parishes. Pains were taken to distribute the Bible and Prayer book, measures were also adopted to increase the fund for the support of the Episcopate, for which not a collection had been made since 1807. The reports of the succeeding year (1819) exhibited a great accession of ministers, and prospects still brightening for the

Church. Thirty three Churches handed in encouraging reports. Forty clergymen and forty three laymen took their seats in the Convention. The Bishop had now visited every parish in his diocese, and well understood its condition, its necessities and its prospects. To these he called attention. His great cry was for theological education. He had now several candidates for orders, and found no small difficulty in directing their studies advantageously. There was a want of uniformity in their education, causing them to imbibe peculiarities and prepossessions, unfavourable to unity of opinion and harmony of action in the Church. As a remedy, the Bishop urged upon the Convention the propriety of supporting the General Theological Seminary.

Without a well informed ministry, the Church can never thrive; but in Maryland, the character of the population especially called, not only for well qualified, but also for well bred men. There can be no doubt that a clergyman increases his usefulness, by cultivating the manners of a Christian gentleman. The state of society in Maryland, is such as to render attention to this truth important. In its colonial days, that State possessed what may be called a landed aristocracy. The system of manorial division contributed to produce it. Hence families of wealth and refinement were scattered over the State; their descendants are

still there, and possess the habits and feelings that result from an education suited to their station in life. Polished and intelligent society is to be found in Maryland, in spots remote from the cities and towns. Hospitable, high-minded, and generous, the gentleman of Maryland is indeed a frank, easy, and noble hearted specimen of man. Courteous himself, he is disgusted by vulgarity; and especially by its exhibition on the part of a clergyman. Therefore, as Bishop Kemp told the Convention, though a clergyman may be as pious as a Christian can be, yet his piety must not assume rudeness or unseemly peculiarities. Although his zeal may be as ardent as St. Paul's, that zeal must be according to knowledge and godliness, if he would be useful to the higher classes of society in Maryland. He need not fear to tell the truth with holy boldness, to rebuke sin, and especially the vices of the better class of his hearers. From these last, Maryland is no more exempt than other parts of the world, it is therefore his solemn duty to rebuke them. Let him in the spirit of love, do it with the dignity and authority of one who owes to God the duty of so doing, and he will be generally respected: he has only to show a temper and manner that indicate a sincere and ardent desire for the happiness, temporal and eternal, of his flock; and no plainness of truth will then give general offence; no people will

take with respect and profit, such preaching, more readily than the people of Maryland: but let him beware, how he manifests symptoms of self complacency and conceit; let him show no outbreak of spiritual pride, founded on the assumed possession of a holiness superior to that of his brethren; let him betray no lurking wish for personal distinctions; for these things, disgusting any where, are peculiarly so among a people with a national character like that of Maryland. The Bishop represented to the clergy these traits of character of which we have spoken, and with great good sense, we think, urged attention to them.

He followed also in the footsteps of Bishop Claggett, and recommended associations of the clergy. They "will never fail" (said he) "to be productive of happy consequences, if they be carried on in the true spirit of Christianity. They excite zeal among the laity; they produce new religious impressions, and warm religious affections; they bring the clergy together and unite them more and more; they rejoice in one another's success, and they sympathize with one another's distresses. And thus they give to our glorious cause, all the advantages of unity and vigour of exertion." These were their benefits, and yet the Bishop was not blind to the possible abuse that might be made of these meetings, and therefore he adds: "but on these occasions should pride

show his deformed aspect; should party views or party distinctions creep in; should the laity discern that there is any object in view but the advancement of piety and the salvation of men, this will not only bring such associations into contempt, but, if I may judge from what has passed in this diocese for thirty years back, it will expose the authors and the promoters of such things to merited scorn and reproach." It would hence seem that the Bishop had here found, in the laity, another check upon the possible evil of associations, so sure in its application of a remedy, that one would think there could be little danger in such meetings, and that the direct benefits to be gained, were at least worth the risk to be encountered in obtaining them.

The existence of the "Evangelical Episcopal Church" was now incidentally brought to the knowledge of the Convention, and produced no sensation in that body. They took no notice of it, and silently left it to die that natural death, to which they saw it was inevitably destined. It was the sickly child of schism, begotten in wickedness, by lustful ambition, and therefore no one heaved a sigh over the approaching departure of the poor offspring of sin.

Another evidence of outward improvement appeared in the fact that the clergy were now better provided for, by the liberality of the laity, than

they had been : parochial lending libraries were recommended to the parishes, and the religious instruction of the blacks became an object of interest. The present assistant Bishop of Virginia, then a presbyter, presented to the Convention a number of copies of a work he had caused to be published, designed for the instruction of the negroes. These were thankfully received, and the benevolent effort to colonize the free people of colour in Africa, with their own consent, then making by the American colonization society, received the hearty approbation of the Convention.

Another circumstance, occurring in this year, proves that Maryland still adhered to her original interpretation of that clause in the Constitution of the General Church, allowing of changes in that instrument. She always supposed that proposed changes were to be submitted to the State Conventions, for their approval or disapproval. Accordingly, on a proposed alteration as to the time of holding the General Convention, that had been sent down to the dioceses ; though the matter was so unimportant that Maryland cared but little what time was selected, she yet thought that her delegation were to be expressly instructed by, and empowered to act for, her Convention ; and she therefore did instruct them to vote on the final decision of the subject as to them might seem to be most conducive to the general interests and convenience of

the whole Church. Some have said that this is precisely what the delegations have a right to do in all cases of proposed change: Maryland, by giving the instructions, proves that she has not so interpreted the Constitution.

Affairs now proceeded for a time with but little to interrupt the uniformity of their progress to increased prosperity. A proposition was made in 1820 to make the standing committee consist of laymen as well as clergymen, but it was not acted on, and that body in Maryland, as in some of the other dioceses, still continues to be exclusively clerical. In 1821, the subject of a theological school was introduced, and presenting a fruitful source of conflicting opinions, interrupted for a time the harmony that existed, and led to events the history of which is recorded in the following chapter.

CHAPTER XVI.

Feelings in Maryland concerning the General Theological Seminary—Maryland diocesan school—Opposition to it—Its constitutionality—Sanctioned by the Convention—Constitution of the Seminary—Bishop appointed a trustee—Refuses to serve—Issues a pastoral letter—Trustees reply to it—Suspend action for a time—Answer of some of the clergy to imputation cast on them in the pastoral letter—Reflections thereon—Final suspension of the diocesan school by the Convention—Diocesan missionary society—Clergy compelled to leave the State for want of support—Protest of the Convention against supposed political attachment of the Church—and against an establishment—Harmony of the Convention of 1824—Bishop's plan for obtaining a correct view of the diocese—Wants of the clergy—Convention, by resolution, approves of associations of the clergy—Death of Bishop Kemp—Sketch of his life and character.

[1820.]

The subject of theological education was one likely to engage the attention of the Church, at an early period of her history. On the records of more than one of the dioceses, evidence may be found of the commendable solicitude manifested to provide the means of training a well instructed body of clergymen. For many years, however, the subject was one of diocesan legislation only. At length it engaged the notice of the Church general.

In 1817, the subject was formally brought before the General Convention, and it was resolved to establish a general theological seminary in New York. In 1820, it was determined to remove it to New Haven, and it was there put in operation. Such was the state of affairs when the Maryland Convention met in June, 1821.

At this session, a resolution was proposed, setting forth, that whereas Virginia had determined to establish a theological school, and the board of trustees had been directed to correspond with the Standing Committee of Maryland inviting their co-operation, thus making one school for both dioceses; the Convention of Maryland did therefore approve of the purpose of the sister diocese of Virginia, and commended the object to the patronage and support of Maryland Episcopalians.

As the general seminary was now in operation, this measure was received with some manifestations of distrust, and was viewed as symptomatic of a new array of parties. In truth, the parties of the Church of Maryland were by no means extinct. It was only necessary to furnish a rallying point to one or the other, and the contending hosts would very soon display themselves in order of battle. In this case the proposition to establish, in conjunction with Virginia, a school for the clergy, was supposed to furnish this rallying point. In New York and Connecticut, the tone of Church

feeling was held to be different from that of Virginia and a large part of Maryland. It is not our province to determine how great was the difference: we believe it to have been much less than many supposed: our business is to record the fact that the northern brethren, who were known commonly as "high churchmen," were supposed to entertain opinions touching the ministry, liturgy, and perhaps also some of the doctrines of the Church, at variance with those held by their "evangelical" or "low church" brethren, as they were termed, of Virginia and a part of Maryland. Hence the influence of the general seminary, placed among the northern brethren, would be, it was feared, favourable to the general diffusion among the future clergy of the Church, of the sentiments entertained by the clergy of New York and Connecticut.

We do not mean to say that this fear was avowed in words; nor would we be understood to affirm that it furnished the motive on which the friends of the proposed diocesan school of Virginia and Maryland acted: for we have no evidence that authorises us to record it as matter of history: but we may say that a suspicion of such a motive was entertained by those who viewed the proposed school as a party movement, and therefore they opposed it. Suspected motives are one of the unavoidable consequences of party excite-

ment, and doubtless they serve to continue the very excitement to which they owe their birth; therefore it is that they must ever be expected to die slowly.

The proposition thus introduced into the Maryland Convention was directed to lie over until the next annual meeting of that body. When it was then called up, however, the gentleman who had introduced it, proposed a substitute for it.

This was a declaration, in the form of a resolution, that it was expedient to form a "local theological seminary" for Maryland alone, and that a committee of three clergymen and two laymen should be elected by ballot to report forthwith a constitution for its government. The subject was thus brought up for discussion, and the great argument against the measure was, the opposition to the general seminary that seemed to be implied in the erection of a diocesan school, and the necessity of directing all the funds of the Church, which were but limited, to the endowment and support of one great general institution for theological study.

The supposed opposition was well answered by the fact, that in establishing the general seminary, the House of Bishops had expressly recognized the right of any diocese to found a school of its own; and both Virginia and New York had acted on that right: as to the argument derived from

the expediency of directing all the available means of the Church to a single object, that was harder to answer ; it was better to have one well endowed seminary than a number of poor ones ; and there were not means at that time to support properly more than one. It was, however, but a question of expediency ; there was no principle involved, and the Convention by a very large majority adopted the resolutions. Of sixty-one members clerical and lay, forty-two voted affirmatively ; and of these, twenty-three were clergymen : a constitution for the proposed institution was forthwith reported by a committee and adopted.

In this constitution, the Bishop was made *ex officio*, president of the board of Trustees, which was to consist of eight clergymen and five laymen, elected triennially by the Convention, with power during the recess to fill vacancies in their own body. The course of study was not to be inconsistent with that prescribed by the house of Bishops ; every professor was required to be a presbyter of the Church, and all the action of the board was subject to the revision of the Convention and placed under its control. The City of Washington was selected as the site of the seminary, and the trustees elected by the Convention took measures to begin their work.

One of the first acts was to address to the Bish-

op a letter, desiring him, as president, to fix a time and place most convenient to himself, for the primary meeting and organization of the board of trustees. Ere this reached him however, the Bishop had been called from home to attend the General Convention, and before having seen the communication just mentioned, he issued a pastoral letter to the diocese, condemning unequivocally the proposed school. He spoke of the plan for its establishment, as one, in his view, incompatible with the principles of the Church, and dangerous to her unity and peace. In October 1821, the General seminary had been removed from New Haven to New York, its constitution had been adopted almost unanimously, and an agent had been sent abroad into the dioceses to solicit funds. The Bishop thought that a local seminary in Maryland, independent of the general school of the Church at large, "counteracted the authority of the Church," and opened the door for destructive errors and unhappy divisions; he could not therefore conscientiously countenance it.

In this opinion, the Bishop, we think erred. It might under the circumstances have been inexpedient to found the Maryland school; but it certainly was the recognized right of Maryland to found it, if she pleased, and she violated no law of the Church general in so doing; she did not therefore counteract the authority of the Church. In fact the

Bishop himself was not quite consistent on this point: for after taking the ground above stated, he said in his letter, "that there should be a seminary in Maryland I am far from being prepared to deny:" he meant indeed that such seminary should be a branch of the general institution; but he forgot that the very power authorising such a branch, had also distinctly declared the right of every diocese to have its own school, if it wished: this right Maryland had never formally relinquished, nor could she (even if most active in founding the general school) have been supposed, in effect, to surrender it; because in establishing the general institution, her right, and the right of every other diocese to found a local one was, at the time, by express words, reserved. The reservation therefore was part of the act, allowing branch institutions. The Bishop also instituted a comparison between the constitution of the general and Maryland seminary, much to the disadvantage of the latter: this however was matter of secondary importance; for if wrong in principle, no constitution would have made the Maryland school acceptable.

After the return of the Bishop from the Convention, he found the letter from the board of trustees, to which we have alluded. This he answered, by declining to serve; and he adverted to the condition of affairs in his diocese, as calculated to make him jealous of all new schemes. He doubtless

thought that the measure was purely one of party. He had seen too, he said, a disposition in some quarters to give to "the doctrines of the Church a Calvinistic cast, to mutilate and change her liturgy, and to break in upon her venerable usages."—He supposed that the school was designed to foster and extend these things. He therefore, admitting that many with whom he had always acted were friendly to the school, yet felt himself under the painful necessity of refusing to have any connexion with it.

His pastoral letter called forth an address from the trustees in reply, in which the Bishop's objections were arrayed under the three heads, that the proposed seminary was unconstitutional in its nature, disorganizing in its tendency, and indigested and ill formed in its character: and to each of these, answers were given.

The trustees also, as the Bishop had intimated in his letter that the sense of the Convention had not been fairly expressed, passed a resolution, suspending all action on their part for some months. This was done to afford an opportunity, if desired, for the meeting of a special Convention to reconsider the subject, and to promote harmony and union in the Church. No special Convention was however called. In fact, it would not have been possible at that season of the year to assemble a large Convention.

Beside this reply of the trustees, three of the

clergy, who were plainly indicated in the pastoral letter as being obnoxious to the charge of Calvinism, mutilation of the liturgy, and violation of church usages, felt called on to justify themselves. This they did in a joint letter addressed to their diocesan. In this they admitted that they sung a psalm or hymn before commencing the liturgy, omitted the ante-communion service, as well as a collect before the sermon, and prayed extemporaneously after preaching: and denied that these practices were forbidden by the Church. As to the charge of Calvinism, they said that even were they the highest supralapsarian Calvinists, they could find many bright lights of the Church of England who were so before them: but in point of fact, they did not admit themselves to be Calvinists. They did not, for instance, believe in *particular redemption*, or *unconditional reprobation*, but they did hold with such men as Hooker and Beveridge and Leighton.

These clergymen felt called on by self-respect and a regard for their usefulness to answer the Bishop's letter; they did it firmly, but without forgetting what they owed to their diocesan. Without approving of all the practices they followed, we think they did right in answering the letter, for this reason. Their conduct was either such as subjected them to ecclesiastical discipline, or it was not: if it was the first, then the Bishop owed it to himself,

to the Church, nay owed it to them, to accuse them otherwise than by a pastoral letter, which at once charged and condemned them, with all the force of official sanction. They had a right to a trial and defence :—If it was the last, then their conduct was no fit subject for a pastoral letter. They should neither have been named nor alluded to. If practices differed, in cases where different views might be honestly entertained, a friendly and fatherly effort on the part of the Bishop to persuade them of the value, to all parties, of uniformity in worship, would have been the wiser course. But it was wrong we think thus to hold them up to the diocese in a pastoral letter as guilty ; and though we disapprove of their usages as stated by themselves, we cannot do less in honesty than say, they did right to reply. From the known character of Bishop Kemp, however, we must add our conviction that he never meant to do them, or any one else, wrong. He loved justice, and was one of the most guileless and honest of men. His zeal for the peace and harmony of the Church which he thought were in danger, his desire to avert a threatened evil in what he supposed to be a perversion of doctrinal truth, blinded him for a time to the wrong he was incidentally inflicting. He did not meditate a deliberate attack on these gentlemen of the clergy. He was combating the establishment of the seminary, and it probably did not

occur to him, that one of the blows he aimed at it, must of necessity glance and fall on them.

We look back now, and find pleasure in the belief that the good Bishop died, possessed of the respect of all these gentlemen. They are all yet alive, usefully and industriously labouring for the Church, one of them indeed, among her highest officers. There is not one among them, we believe, who would speak of the memory of Bishop Kemp, in any terms but those of affection and respect: and being able to say this, as we think, with truth, we have the less scrupled to record the facts just related, because they involve the grave question, how far it is right for pastoral letters to reflect upon individual clerical character, where there is no offence to justify ecclesiastical discipline. Pastoral letters we apprehend were not designed to be made acts of discipline of the clergy.

The circumstances just detailed brought into the field other combatants, and the prospect of pamphlets was, as usual, very promising to such as loved church controversy. "A friendly letter to a member of the Episcopal Church in Maryland," signed *Unitas*, and written by we know not whom, discussed the subject of the proposed seminary with great good sense and temper, and showed very satisfactorily (at least in our view) that its expediency was doubtful. The vestry of

Great Choptank parish also, of which the Bishop had once been rector, replied to his pastoral letter in terms of great affection, and approved of his views touching the proposed school. Others of the trustees, as well as the Bishop, declined serving in that capacity. Thus the Rev. Dr. Wyatt, who was absent in Europe, was appointed, and on his return, declined, assigning his reasons for so doing. These were founded, as we think very properly, on expediency only, and did not touch the point of opposition to the constituted authorities of the Church. In this posture of affairs, it was plain that parties were once more about to be openly arrayed against each other.

The next year, however, brought with it events that terminated the dispute, and saved the Church from the threatened conflict. In the Convention of 1823, the trustees of the seminary submitted a report which after alluding to the diversity of opinion in the diocese concerning the seminary, thus concluded: "the board, therefore, respectfully submit the whole matter to the wisdom and piety of this Convention, declaring their desire to conform to whatever may be thought best, to promote the peace and harmony, and to heal the divisions unhappily excited upon this subject. They therefore beg leave to submit to the consideration of the Convention, the following resolution:—Resolved that the board of trustees of the theological sem-

inary, appointed by the last Convention of this diocese, be, and hereby are, requested to suspend all further proceedings in relation to the said seminary, until a greater unanimity among the members of our Church may induce the Convention to pass further order upon the subject."

Merely to suspend present action, however, leaving the possibility of its renewal at any moment, to the board of trustees, fell far short of the wishes of those who had opposed the seminary. The adoption of this resolution would only have postponed for a time, a contest which would come at last. A resolution was therefore proposed as follows: "resolved that the harmony and welfare of the Church require that all proceedings in relation to the diocesan theological seminary be repealed; and all proceedings had at the last session of this Convention in relation to said seminary are hereby declared to be repealed and annulled." This proposal, if adopted, would have afforded a triumph most palpable to those who had opposed the seminary; and therefore a compromise was wisely made, which saved the feelings of all parties, by the adoption of a middle course. It was resolved "that the establishment of the theological seminary, authorised by a vote of the last Convention of this diocese, shall be, and the same is, hereby suspended; and that no resolution or other act of the Convention, for the revival of the said sem-

inary, or for the establishment of any other theological seminary within this diocese, shall be had, or shall be deemed valid and effectual, unless the same shall be adopted at one Convention, published among their proceedings for the consideration of the diocese, and afterwards ratified and confirmed by the next annual and regular Convention, after a new election of lay delegates." And thus was consigned to the tomb, the theological seminary of Maryland.

That the continuity of our narrative relative to this business might be unbroken, we have not alluded to other topics that belong to the years 1822 and 1823. We now briefly advert to them.

An important measure of the former of these years, was the formation of a diocesan missionary society, auxiliary to the Domestic and Foreign Missionary Society of the Church at large. The chief object of this institution was to supply missionaries to the diocese, and after this was done, any surplus funds it might have were to be given to the parent society. The Bishop was placed at the head of the society, and it was made responsible in some degree to the Convention.

During the period of which we now write, although the clergy were striving to obtain more ministers, some by means of a diocesan and others by means of the general seminary; yet might they well have paused to ask whether all would be sup-

ported whom they might obtain. The Bishop distinctly informs us in 1822, "that some most valuable clergymen have been compelled to leave the diocese, *for want of support*:" and again in 1823, alluding to the changes of clerical residence he remarks; "it is a fact that several of these changes have been occasioned by an *inadequate support* of the families of the clergy. For men advanced in life, and with families around them, there are but few of our parishes that yield a sufficient living. This is a circumstance which at the present time demands the most serious consideration of the members of our communion." There were now sixty-five churches and chapels in the diocese; of these, seventeen were vacant, and the residue were supplied by forty-five clergymen, a few of whom served in more than one place of worship.

In 1823, a supplement to the vestry act, was at length passed by the legislature, under which the Convention had powers granted, enabling them to do something for the revival of decayed parishes. This had long been needed.

From the former connexion, subsisting between the established Church of England and the Episcopal Church in the colonies, it is easy to perceive how, among the ignorant and half informed, an opinion should prevail, that Episcopalians in the United States must of course desire an established

religion. Some too, without the plea of ignorance to excuse them, who wanted impudence directly to assert what they knew to be a falsehood, have yet had wickedness enough to countenance and spread it, by that meanest of all species of lying, a significant shrug, or an artful insinuation. It is indeed true that the Protestant Episcopalians of the United States, do love the Church of England. Heaven forbid that they should do otherwise. In the providence of God, she has been made an honoured instrument in his hands for the preservation and diffusion of truths written in His word, and sealed with the blood of martyrdom from the days of Stephen upward. The Church of England has been the bulwark of the Protestant faith. From her fortresses have come forth the champions, and from her armoury have been taken the weapons, by whom, and with which, that faith has been defended. The wisest and best of Protestants, not of her communion, have yielded to her this just tribute of praise. The prayer rises from many lips :—‘ may God protect her from her enemies :’ many an eye would weep at her downfall. These prayers ascend, these tears would flow from many who have never seen the imposing splendours of her establishment ; who know her only by the work she has done for God’s glory and man’s good, and who love her, because God has set her up before the world, for a defence of the

truth. The Protestant Episcopal Church in the United States sprang from her, and therefore indeed do her members feel for the Church of England, gratitude, respect, affection. May the world scorn them when they cease to feel it; but her established character, her endowments are not the grounds on which we love. Strip her of all, and we should love her still, ay, love her better because they robbed her, so long as she maintained, as she has done, the truth of the ever living God. Her establishment is her individual concern; her piety, her support of truth, is the property of all the faithful in Christendom.

We wish no establishment here; we have before taken occasion to show that no Christian denomination has less need of union with the civil power, than the Protestant Episcopal Church.¹ Our Maryland brethren therefore in the transaction we are about to lay before the reader, spake but the voice of the whole of our communion. The transaction alluded to was this. Bishop Brownell of Connecticut had issued an address in behalf of Washington college, containing expressions which those unfriendly to the Church, might construe into evidence of attachment to the government, civil and ecclesiastical, of Great Britain. There was, indeed, but little danger of this misconstruc-

¹ Narrative of the Church in Virginia.

tion from the candid; the Protestant Episcopal Church in the United States, however, long ago found out that her enemies were not to be classed with the candid. The Church of Maryland, therefore thought it best, so far as she was concerned, to guard against an abuse or perversion of the Bishop's language. After declaring that his words were designed by him, as they believed, to express no more than Christian charity and affection toward individuals professing the same faith, and after alluding to their possible misconstruction, the Convention of 1824 passed the following resolutions by an unanimous vote.

“Resolved, that, in the opinion of this Convention, the expressions contained in said address, so far as they are calculated to induce a belief, that the members of the Episcopal Church in the United States, entertain political feelings, peculiarly friendly to Great Britain, are not justified by the character and opinions of the members of our Church.”

“Resolved, that while we look to the history of the English Church for some of the brightest ornaments of the purest faith and practice; and while we adore the dispensations of the Divine Being, who has strengthened the hands and the hearts of his people, by the exhibitions of such examples of piety and holiness, as are to be found in the annals of that Church; we at the same time

feel the same degree of gratitude and thankfulness, for the illustrious instances of a holy devotion to the pure doctrines of the Gospel, which, in other Countries, have been sealed by the fortunes and the blood of the faithful followers of our blessed Saviour : and we do solemnly protest against the opinion (if such an opinion be any where entertained) that our Church inculcates in doctrine or in discipline, the smallest influence upon our opinions of civil government, or of the connexion of civil and religious government.”

“Resolved, as the opinion of this Convention, that nothing would be less likely to promote the real interests of religion in this State, or in these United States, than a Church establishment, whereby an unnatural alliance with the civil authority, would be effected.”

Thus did the Maryland Church place upon record for the inspection of all men, her solemn protest, made without a dissentient voice, of her attachment to the civil institutions of our own Country : and we defy malice itself to name the instance in which either she, or any other diocese of the American Episcopal Church, has ever acted contrary to the principles professed in these resolutions.

The annual assemblage of the succeeding year congregated a larger number than usual both of clergy and laity. There was however no matter of special moment to cause a full Convention.

It may therefore be fairly attributed to an increase of the Church, as well as of interest in its concerns. It is worthy of remembrance too, that better evidence than mere numbers afford, was furnished of an increase of Christian feeling. Large as the Convention was, its session was so characterized by a delightful spirit of harmony and mutual accomodation, that the good Bishop could not send the members back to their homes, without a concluding address, expressive of the satisfaction he felt in the exhibition of brotherly kindness and love that had been manifested. We really know not any particular circumstance that accounts for this display of kind and proper feelings, so remarkable that it calls forth from the Bishop a parting address of congratulation. We must therefore conclude that the Master, over-ruled events to the production of harmony, by way of showing his children who had been quarrelling, and dividing into parties a little more than was seemly ; how much more pleasant it was to lay aside strife, and live in love : and also to cause them, seriously as Christians, to ask themselves, why, if the Convention could do this *once*, it could not do it *always*. If this explanation be not satisfactory, we are sorry to say, we have none better to offer.

There was one practice adopted by Bishop Kemp in his visitations, admirably calculated to enable him, calmly and with care, to ascertain the

true condition of his diocese. In the hurried visits of a diocesan who has a large number of parishes, and who is expected annually to be in them all; it is absolutely impossible for him to acquire more knowledge concerning them than may be gathered from the surface of affairs, upon an inspection that is, of necessity, slight. Something more indeed he may learn from the correspondence by letters that he is obliged to keep up with his clergy; a correspondence, be it remembered, imposing no small tax both on his time and purse. But this at best can afford him but an imperfect view of his parishes.

The expedient adopted by Bishop Kemp was to prepare for the clergymen and vestries of the diocese, certain queries embracing particulars touching the condition of the parish, both in temporals and spirituals. These he caused to be printed and distributed before his visitation, and in the answers thereto, found at once on his arrival in a parish, to what subjects he could best direct his attention. On his return, an examination of these several documents, added to his own personal observation, furnished him with a full view of the condition of his whole charge. The arrangement was one, adopted for the Bishop's own convenience in the discharge of his duty; there was no law to enforce its observance, nor was any needed, for it was ob-

vious that the plan greatly facilitated the diocesan's work of supervision.

The necessity for more clergymen still continued. Inadequate support was the cause. In 1826, no less than twenty-one Churches were vacant. The frequent dissolution of the connexion between the rector and his flock was a sore evil. The Church evidently, in her offices, contemplates it as one that ought to be permanent and too sacred in its character to be lightly broken. A *settled* ministry is almost as necessary to her prosperity as one that is pious and enlightened. But the poor clergy often had no alternative but removal; so that it was said truly of the ministers in the country parishes, their condition more nearly resembled that of missionaries and itinerants than of settled parochial clergymen. Before they had lived long enough in a parish to become acquainted with the characters and wants of the people, they were removing to another sphere of labour. On the list of the clergy, for the year of which we now write, not more than four or five names could be found that were of more than twelve year's standing. The best men in the Church did not hesitate to ascribe the existence of this evil, to the insufficient support of the clergy.

The remedy proposed by some for this want of ministers, subjected the Bishop to occasional embarrassment. He was often greatly urged by a part

of the clergy, to dispense with the canonical qualifications for holy orders, and to admit men to the ministry who had not pursued a full course of theological study. But he would not yield, and sometimes he saw symptoms of discontent manifested at his refusal. There certainly are cases where dispensations should be allowed ; but in general, it is perhaps the safer course in the end, to adhere to the canonical requisites. We may seem at the time to cure the evil of a want of ministers, by increasing the facilities of ordination, and after all, heal the hurt of the Church slightly : for it deserves consideration, whether the injury resulting from a dearth of clergymen, equals that which may arise from a superabundance of those, disqualified for usefulness among Episcopalians, by lack of attainments.

But notwithstanding the discouragements arising from this want of clergymen, there were, in the picture presented by the Church, some pleasant features.—Several parishes almost extinct had within a few years revived, no small number of Churches and chapels had been either repaired or built, many young men were devoting themselves to the ministry, bible classes and sunday schools had multiplied, family religion had increased, the Churches were more numerously attended, and more knelt around the altar to commemorate the Saviour's love; gross vices and the rage for worldly

amusements and fashionable follies had perceptibly diminished in some parishes; so that, good men found something for which to thank God and take courage.

A resolution of this year, declared "that the Convention approve of the association of neighbouring clergymen of this diocese for the purpose of preaching the gospel, and administering the sacraments in their respective parishes; and that it be recommended to them to continue and increase their efforts in such manner, and as frequently, as it may be deemed expedient." And the standing committee, acting as a committee on the state of the Church, reported that they were "fully persuaded that the associations of the clergy, recommended by a resolution of the Convention, if generally adopted and zealously and prudently conducted, would under the blessing of Almighty God, powerfully contribute, not only to the revival of pure and undefiled religion among the people; but also to the promotion of the true spirit of their office among the ministers themselves." And this was no party report, for clergymen of both parties, who at this day stand as high as any in the Church of Maryland, were members of the committee.

In 1827, the number of the clergy amounted to fifty, and nothing material had occurred during the past ecclesiastical year to change the general aspect of the Church. In June, the Bishop met

the Convention as usual, and it was the last time he was destined to preside in that body.

In October he was called to Philadelphia, to assist in the consecration of the Right Rev. Doctor Henry U. Onderdonk, who had been elected assistant to Bishop White. The ceremony took place on the 25th day of the month we have named; and on the following day, Bishop Kemp left Philadelphia on his return to Baltimore. About four miles from French town, the stage coach in which he travelled was suddenly overturned, and the Bishop, beside being wounded on the head, arm and shoulder, sustained also some severe internal injury. He was conveyed to his residence at Baltimore, where, retaining his senses and speech to the last, he expired in great pain, on Sunday the 28th of October 1827. He was perfectly aware of the fatal nature of the accident, expressed his entire willingness to die, and manifested a most lively faith in the merits of the Redeemer, on which alone he relied for pardon and salvation.

The death of Bishop Kemp produced a strong sensation in the community at large, by whom he was justly respected and beloved; but the bereavement was most sorely and deeply felt by his attached congregation, for he was the rector of St. Paul's, Baltimore. In that sacred edifice they gathered in crowds, and offered in tears, the last

tribute of respect and affection to one whom they all loved and revered.

The Right Reverend JAMES KEMP D. D. was born in Scotland, of pious parents, by whom, from an early period, he was religiously trained. Of the incidents of his younger days, little, we believe, is now known; at a suitable age he entered the Marischal College in Aberdeen, where he completed his education. When this event happened, a friend offered to him patronage and assistance, provided he would remain in Scotland. He, however, was induced by the enthusiasm of youthful feeling, and the anticipation of a wide and rich field in which to reap success, to embark for this country, the independence of which had been but recently acknowledged. Soon after his arrival, he became a private tutor in a respectable family, living in Dorchester County on the eastern shore of Maryland. Here he continued for several years. At length, having determined to devote himself to the Christian ministry, the circumstances in which he was placed attracted his attention to the Protestant Episcopal Church. Until he came to America, he knew but little about it; he had been educated a Presbyterian, and the persecuted Episcopal communion of Scotland, suffering under the weight of penal laws, was obliged to seek safety in obscurity; he could therefore learn little concerning Episcopacy from her. Struck

with a mode of worship, quite novel to him, and at the same time marked by a beautiful and dignified simplicity and devotion, he was led to investigate the peculiar institutions of the Church, and the result was that he became an Episcopalian. He now resolved to become a candidate for orders, and after prosecuting his studies for some time under the direction of the Rev. Dr. Bowie, then rector of Great Choptank parish, he was admitted by Bishop White to deacon's and priest's orders, on the 26th and 27th of December 1789, and in the following year, succeeded Dr. Bowie in the charge of that parish. Here he remained until the year 1813, when he was associated with the Rev. Dr. Beasley in the rectorship of St. Paul's Baltimore. In 1814, as we have seen, he was elected suffragan to Bishop Claggett, and in 1816, succeeded him as diocesan.

The reader has already been made acquainted with the opposition made to the Bishop's consecration. In justice to his character it must now be added, that he lived long enough to see among his most respectful friends, some of those who opposed him. It is not strange that he won them over. His was a disposition singularly guileless, and he was truly humble. In his intercourse with all, whether they had supported or opposed him, he treated them with kindness, and the mildness

and urbanity of his manners won for him their esteem.

Bishop Kemp was a well read divine, particularly in the theological writings of the English Church. His acquaintance with ecclesiastical history was extensive, and in 1809, he proved himself to be an able champion of the views of Episcopalians, on the subject of the ministry. As a preacher, the Bishop was able and instructive. His sermons were well studied and prepared with care, but plain and practical. He did not aim at the production of excitement, but to convey instruction.

The piety of the Bishop was deep and unfeigned, yet unobtrusive: it was visible, however, as the fixed habit of his mind, and feeling of his heart. Benevolence formed a prominent trait in his character; he was ever ready to hasten to the bed-side of the sick, the abodes of poverty, or the house of mourning.

The guileless nature of the Bishop rendered him unsuspecting of others. Honest himself, he was too apt to think all others so; hence he could be imposed on by artful cunning, and thought human nature to be better than it is.

Such was Bishop Kemp, who after an Episcopate of thirteen years, finished his course and slept with his fathers.

CHAPTER XVII.

Re-appearance of party spirit—Dr. Wyatt elected president of Convention in 1828—Just tribute to Bishop Kemp—Three unsuccessful attempts to elect a Bishop—Considerations on the constitutional provision requiring a vote of two-thirds—Bishop Onderdonk performs Episcopal acts—Diocesan missions in their counteracting effects on the ‘agencies’ of other denominations—Convention of 1829—Proposal to change the mode of election—Rejected—Five fruitless efforts to make an election—Bishop Mead performs Episcopal acts—Strong efforts of both parties—Convention of 1830—matter settled by a compromise—The Rev Mr. Stone elected Bishop—Convention of 1831—Equal vote of the clergy on a proposal to alter the mode of electing—Pew question—Church begins to improve under Bishop Stone—plan of “systematic charity”—Further improvement of the Church—Revision of diocesan canons—Lay discipline—Inadequate support of the clergy—Reflections thereon—Christian education—Bishop Stone’s death—His character—Renewal of contest for the Episcopate—Dr. Johns elected president of the Convention of 1838—Joint address of Drs. Wyatt and Johns—Nine ballotings for a Bishop without an election—Compromise—Dr. Eastburn elected—He declines—Special Convention of August 1838—Eleven more fruitless ballotings—Drs. Wyatt and Johns both decline—Right Rev. Bishop Kemper elected—He declines—Conclusion.

[1828.]

THE death of Bishop Kemp brought together a numerous Convention in 1828. The important measure of electing a successor was one of more than usual interest in Maryland. The selection of a suitable individual was not the only point consid-

ered. Truth compels us to say that the vacancy in the Episcopate immediately revived, or rather aroused the spirit of party: it had in fact never been dead; it slumbered merely, and was now awake, seeming to have gained fresh vigour from its temporary repose. ‘High Churchmen,’ as they were called, were again arrayed against ‘evangelicals’ or ‘low Churchmen’ as they were termed; and while the first were accused, as before, of being mere formalists, the last it was said were fanatical and irregular, and ready to surrender Episcopacy, or at least treat it with undue contempt.

Nearly one hundred members took their seats in the Convention to manifest their opinions, by their votes for a Bishop. The parties were nearly equal in numbers. A small majority of the clergy was in favour of the low Church side of the question; while of the laity, the reverse was true; but neither side could obtain a vote of two thirds, which the Constitution had made necessary for the election of a Bishop.

The Rev. Doctors Wyatt and Johns, the two gentlemen respectively selected by their parties for the vacant Episcopate, were put in nomination for the presidency of the Convention. Dr. Wyatt was elected by a vote of forty-seven, while Dr. Johns had a vote of forty. This however was on joint ballot of both orders, and therefore was no test of the vote for Bishop. The Convention,

having taken measures suitably to express their feelings on occasion of "the greatly lamented death" of their former diocesan; and having paid to his memory a tribute alike due to him, and honorable to themselves (for it was free from the slightest whisper of any sentiment but love and respect) proceeded to the election of a successor.

Three several times did the clergy cast their ballots; the majority in each case was a small one for Dr. Johns; but he never received the vote of two-thirds required by the constitution, and therefore the laity were not called on to ballot at all. At length by the vote of a large majority, the subject was referred to the next annual Convention. This constitutional provision of the Maryland Church, requiring a vote of two-thirds of each order to elect a Bishop, has often been discussed in the Conventions of that diocese; as well as furnished a topic of consideration to those belonging to other portions of the Church. The latter of course have had nothing to do with the subject, beyond that of considering, in the abstract, the policy of such a provision. The law is of very old standing in Maryland, it has been a means of protection at times to each party, in preventing an election not desired, and at any rate, it is the business of Maryland alone to retain or change the rule. It prevented the election of Bishop

Kemp as suffragan in 1812, when the laity refused to concur in the nomination of that gentleman, made by a two-thirds vote of the clergy. In 1828, it prevented the nomination of Dr. Johns by the clergy, for though he had a majority, it was not the constitutional majority. Each side, we suppose, has thought it a very wise regulation when it helped, and a very pernicious one when it hindered its purposes. One thing we believe is at any rate certain, that whether the law be good or bad, Maryland has had more delay and difficulty in electing her Bishops than any other diocese in the Union.

The provision in the constitution was suggested no doubt by an anxious solicitude to prevent an unworthy individual from obtaining the mitre. When the whole number of the clergy was small, a vote of two-thirds afforded some security. Such a vote also might guard against a fraudulent election accomplished by surprise, when the number was large. Such were the opinions expressed by those who found the law sometimes operating for their benefit. But on the other hand when it presented an inconvenient obstacle to the accomplishment of their wishes, there was no lack of arguments to show its impolicy. It was then perceived that to require a vote of two-thirds to elect, must inevitably increase the difficulty of making a prompt choice; and thus by prolonging the con-

test, protract the strife and artifice to which it would give birth; that it was not to be supposed an unfit person could ever obtain a bare majority of the votes of the whole Convention: that if however such an one did obtain them, he must still receive the approbation of a majority of the standing committees, or of the lower house of the General Convention before he could be consecrated; and that even after obtaining one or the other of these prerequisites, he must be approved by the Bishops: there was consequently security enough against the elevation of an unsuitable person; and finally it was said that in many of the dioceses, the mode of electing by a majority prevailed, and no evil consequences had thence resulted. But these arguments and others like them, were probably not always of equal weight in the minds of those who sometimes used them. At any rate, though both parties have at different periods felt the constitutional provision to be inconvenient, yet both seem also to have been afraid of altering it; for so it is, that a vote of two-thirds of each order is still necessary to elect a Bishop in Maryland.

After the adjournment of the Convention, the Standing Committee invited the Right Rev. Dr. Onderdonk of Pennsylvania, to perform Episcopal acts in the diocese, and he consented to do so until the first day of May 1829, in which month the Convention was to meet again. At the appointed

time it assembled, and presented a more numerous body than was at the meeting of the previous year. Forty-five clergymen and fifty-nine laymen took their seats. It was not difficult for a calm and disinterested observer to foresee, in this increase of numbers, a diminished probability of making an election. It is much more easy to obtain a vote of two-thirds in a small body, than in a large one; fewer minds have to be brought to unanimity.

Dr. Onderdonk made a communication to the Convention, detailing the Episcopal acts he had performed; and while he delicately refrained from submitting any observations on the concerns of the diocese in general, he yet ventured to make a suggestion, certainly worthy of the most attentive consideration in all of our dioceses. He strenuously recommended the system of diocesan missions, not merely for the direct benefit they produced in advancing Christianity, but also as the most efficient, and indeed, only means that could be adopted for duly supporting the rights of the Church, in the midst of the numerous *agencies* scattered around and among our congregations, by wealthy societies of other denominations. Now we quarrel not with the institutions that see fit to establish these agencies, they have an unquestionable right to do so; but as with us, the system of agencies is very limited; and as also, the Church, in the view of many, is already one great

society that supersedes the necessity of many, if not of all, others; there does seem to be a propriety on our part, in establishing an *agency*, by planting a Church, and in furnishing an agent, by supporting a missionary. We are far from encouraging an exclusive preference for diocesan missions; but we are as far from approving of the "missionary spirit" that can neglect them.

Both parties had come to the Convention prepared once more to make an effort to elect a Bishop; the numbers on both sides were so nearly equal, that a majority of two-thirds was scarcely to be hoped for by either. Before proceeding to the ballot, however, an effort was made to change the mode of election. It was proposed to submit to the vestries the following substitute for the fifth article of the constitution: "every election of a Bishop in this diocese shall be made in the following manner:—

"The orders of the clergy and laity shall simultaneously, but separately, each nominate, by ballot, some suitable clergyman of the Protestant Episcopal Church of the United States, for that office; and the votes of a majority of each order shall be necessary to constitute a choice: and if the two orders shall concur in nominating the same person, the President of the Convention for the time being, shall declare such person to be elected Bishop of the diocese. And if the two orders

shall not concur in nominating the same person, but shall nominate different individuals, the persons so nominated shall be voted for by the Convention in one body; and the person having a majority of votes of the attending members shall be declared duly elected. And in case one of said orders voting separately, shall make a nomination in manner aforesaid, and the other order should not succeed in nominating any one, the person nominated by the one order shall be voted for by the other; and if approved by a majority thereof, he shall be declared to be duly elected Bishop of the diocese."

This proposed change was laid on the table, and the work of balloting commenced among the clergy: it having been previously resolved that they should begin at a certain time, and at the expiration of two hours thereafter should report their nomination to the laity for their immediate action: in the event of their making no nomination, all further proceedings were to be suspended until the next Convention.

Five times did the clergy ballot without a concurrence of two-thirds in making a nomination. In every instance the majority was on the side of what was called the "low church party." After these ineffectual efforts, all further proceedings were postponed to the next annual Convention. The proposed change in the constitution was then

called up, and a substitute for it was accepted by the mover. That substitute provided first, that the votes of a majority of the two orders concurring should elect; and secondly, should no election be made in that mode, then the next annual Convention should again attempt an election in the same mode, and in case of failure, on the second day of such succeeding Convention, the two orders *voting jointly* should ballot, and the person having a majority of votes should be declared Bishop. The Convention refused to propose this change to the vestries; and thus, at the expiration of another year, would it assemble to renew the struggle under the existing law.

In the interval Bishop Meade of Virginia was requested, as Bishop Onderdonk had been, to perform Episcopal acts in the diocese, and complied with the request. Both parties too would appear, to have been busy, during the same interval, in preparing for the campaign. At least, both had exerted themselves with no little zeal in procuring ministers to supply some of the vacant parishes in the diocese, if we may judge from the large increase of the clergy exhibited at the Convention of 1830. There were sixty reported as belonging to the diocese, of whom fifty-four took their seats, while sixty-one laymen also appeared as delegates. Maryland never saw such a Convention before. For more than two years had they been without

a Bishop, and now, for the third time, they came up to renew the old struggle. A large number of seats in the Convention were claimed and contested on both sides. On the second day of the meeting, a distinguished lay gentleman proposed the following resolution :

“Resolved that a committee of four clerical and four lay members be appointed, to confer together in the spirit of Christian conciliation, upon the subject of electing a Bishop of this diocese ; and that they endeavour to agree upon, and recommend to this Convention a proper person to discharge the duties of that sacred office, and preserve the harmony of the Church.” Weary, as we would fain hope, of a strife at once profitless and unseemly, the Convention unanimously adopted the resolution ; and the committee nominated the **REV. WILLIAM MURRAY STONE**, one of the presbyters of the diocese. A balloting immediately took place when Mr. Stone was elected by the constitutional vote ; and thus by an amicable compromise between the parties, was determined in a few minutes, an affair which had, for more than two years, been producing contention in the Church. The Convention then resolved that at its opening on the morrow, should be performed a solemn service of thanksgiving to God, for his mercy in leading them to a harmonious and unanimous choice of a Bishop. The new Bishop was

consecrated in Baltimore on the 21st of October 1830, and entered forthwith upon the discharge of his duties.

And now that a Bishop was elected, it was thought to be a favourable opportunity to present, unembarrassed by any considerations of feeling or interest, the question of a proposed change in the mode of choosing that officer. Accordingly, in the Convention of 1831, the proposal of the previous year was renewed to allow an election to be made by a bare majority. When put to the vote, by orders, the clergy were found to be equally divided, and not having been adopted by them the proposition was declared to be rejected. Of the laity a majority of nearly one-third approved of the change.

Another question of some interest had arisen in the Church and demands a passing notice at our hands. It related to the right of a vestry over the pews of their Church, under the laws of Maryland. An opinion prevailed among some that a family possessing or occupying a pew prior to the revolution, had under the English law, a title thereto in fee simple; and that consequently, it would, under all circumstances, continue to belong to the heirs of such family. Thus for instance, though every member of the family might abandon the Church, and join another communion, or might remove to a distance, leaving the pew vacant; it was contend-

ed by some that the vestry could not interpose. A committee was appointed to consider and report on this subject to the Convention. They examined the claim supposed to be sustained by the law of England, in force in Maryland before the Revolution, and found, what we apprehend is undeniably true, that by the law of England the fee simple of a pew is never in the occupant by conveyance from the officers of the parish. "Of common right all the seats in the Church belong to the parishioners in general." The ordinary may dispose of the seats to prevent confusion; and every right to a pew must rest either on his grant, or on prescription. The former is called a right "by a faculty:" but a faculty, which is a mere right to occupy, is never made to a man *and his heirs*. Where the claim rests on prescription, it is not urged as belonging to the *person* who, in technical language, prescribes, but as appendant to some certain *house*. The ground of all this is the obligation resting on the parish officers in England to provide seats within the Church for all belonging to the parish, who bear their share of parochial burdens. No absolute, alienable right to a pew ever existed in the Church of England. None such could therefore have existed in Maryland before the revolution. After that event, the case was only made stronger against the claim. Every man had a right to join what religious society he pleased,

and to leave it when he pleased ; while in it however, he was bound to bear his share of its burdens. Contribution was the price of membership. The Maryland law recognized all this in substance, for it gave the fee simple to the vestry of a parish, as *trustees* thereof, for the interest and benefit of the *parishioners*. Any other doctrine would be ruinous to a religious community. The conclusion reached therefore was that the vestries had the control and power over the arrangement and regulations of the pews for the purposes designed in the laws (the benefit of the members of the congregation who bore the burdens of the Church) and that they had ample power to dispose of them so as best to accomplish the end in view. And this was the expressed opinion of the Convention.

Bishop Stone never possessed a vigorous constitution, but in the providence of God it was so ordered that after his consecration, the general state of his health was better than it had been for years before, and he gladly availed himself of his ability to labour actively in his diocese. His habit was to visit all the parishes under his care once in two years, and this was no light toil where the Churches were scattered as they are in Maryland ; when he found a vacant parish, he would often remain in it two or three days, preaching and performing other duties. According to the strength

given him, he was a zealous and faithful labourer. Under his administration the Church certainly increased in numbers, and, as we think, in piety. For this we may find, in addition to the discharge of his duty by the Bishop, another reason in the fact that the voice of contention was in a great degree hushed. Some progress was made in collecting a fund for the support of the Episcopate; and diocesan missions, the necessity of which was continually urged by the Bishop, began to assume their proper importance in the eyes of Maryland churchmen. Thus matters proceeded, showing a gradual improvement for two or three years.

In 1834, the plan of "systematic charity", as it was termed, was adopted on the recommendation of the Convention. This plan was suggested by the Right Rev. Bishop Doane of New Jersey, and had been tried with very gratifying success both in his diocese and elsewhere. It was but the revival of a custom as old as the days of St. Paul, and recommended by him to the Church of the Corinthians: "upon the first day of the week, let every one of you lay by him in store, as God hath prospered him." The several rectors were desired to provide suitable boxes and distribute them among families, or place them conveniently in the church, that they might be made the receptacles of the weekly offerings of the members, great and small, of our communion. The plan has much to

recommend it. It is scriptural, it is a perpetual remembrancer of the duty of rendering to the Lord of our substance, it trains up children to the practice of that duty, and it has succeeded. If this primitive mode of raising funds were faithfully pursued in every diocese, there would be no want of means to support all our diocesan missionary societies. Here, where "the voluntary system," as it is termed, is the chief dependance of the Church, some such systematic mode is doubly valuable.

The prosperous progress of the Church still continued, insomuch, that the Standing Committee, in their report of 1834, declared themselves to be "decidedly of opinion that the Church of Maryland enjoys at this moment, brighter prospects of increase than at any former period of her history." They said also, "practical piety, and enlightened attachment to the forms and institutions of the Church, are advancing with equal pace among the Episcopalians of the diocese. A missionary spirit is also gradually diffusing itself; and a determination is manifested on the part of churchmen generally to revive and restore all the waste places of our Zion."

At this period of tranquillity and growth, the Church was enabled calmly to revise the whole body of her laws. This was made the more necessary, because the General Convention had, not

long before, reviewed the canons of the Church general, and it was desirable to make those of the diocese conform to the enactments of the General Convention. The action of Maryland, however, was confined to her canons. Quiet as was the Church, she would not touch the constitution. The time was auspicious for making dispassionately, changes in that instrument; and particularly for considering the clause requiring a vote of two-thirds to elect a Bishop: but the Convention proposed no alteration to the vestries. We must therefore suppose that, when free from all excitement, in the deliberate exercise of a sober judgment, the majority of the Maryland Church thought it, upon the whole, most expedient to require a vote of two-thirds to make a Bishop. They knew, better than any one else did, the inconveniences that might thence result; yet they seem to have supposed these were more than counterbalanced by the advantages of the rule.

The body of canons prepared by a committee for the Maryland Church, was submitted to the Convention, and ordered to be printed and distributed through the parishes, with a view to final action upon them in the ensuing year. In 1835, they were accordingly brought forward, and after full consideration were adopted. Viewed in the mass, we know not, in the whole Church, a better body of diocesan canons. Well arranged, briefly

expressed, and perfectly just toward all orders, from the Bishop downward; their propriety in general cannot reasonably be questioned, and consummate indeed must be the stupidity that can misunderstand them. They are arranged under three general heads. The first embracing such matters as relate to lay readers, candidates, deacons, priests, the Bishop, and the Convention. The second disposing of lay discipline, and the third providing for clerical discipline. The articles under the second of these heads refer, of course, chiefly to communicants and, in no equivocal terms, say to them, as they should say, "be not conformed to this world."

The frequent representations of the Bishop on the subject of diocesan missions, would appear not to have been unheeded, for we find that four missionaries were now usefully employed in the destitute parts of the State. There was still room, however, for many more.

In 1835 the general missionary society of the whole Church, was re-modelled by the General Convention: and to this new organization, the Maryland Church in 1836 expressed its cordial assent. Gratifying however as was the increased and still increasing prosperity of the diocese, we must not permit the reader to suppose that there were no circumstances to be found, calling for amendment. We have already seen, so scanty

was the support afforded to the clergy, that many, had from time to time, been obliged to leave their cures. The evil had in some degree been remedied, but still it was in 1837, an evil, and it is so yet. In that year, the Bishop reported that the diocese had lost more clergymen than it had gained ; many parishes were thus left vacant, and he did not hesitate to ascribe it to inadequate maintenance. He acquitted the clergy, of the charge, often most unfeelingly made by those who should support them, that they were fond of change. What possible interest can a clergyman, with a competent living, among parishioners whom he has long known, have, in removing for the mere sake of change ? He alters thereby, neither the nature nor extent of his labours, and encounters the painful work of making new friends and acquaintances, at a time of life, it may be, when most men of reflection find but little inclination materially to enlarge the circle of those with whom they mingle. New faces and new friendships have not, to men of middle age, the charm they afforded in youth. The stern realities of life have dissipated its illusions, and melancholy experience has taught the heart to be distrustful of those whom the history of the past has not shown to be tried and true. Under existing circumstances, we shall not hesitate fearlessly to say, that the clergy of our Country Churches not only in Maryland, but throughout this land, are,

for the most part, not paid as much as they should be. The cruelty of dooming them to a life of penury, in which an honest pride is perpetually struggling with a hopeless poverty, is bad enough ; let them in mercy be spared the additional cruelty of undeserved reproach, when, obeying the call of necessity, they seek bread for their families where they can find it. Let the experiment be tried of feeding them, of placing them beyond the reach of want, of relieving them from that struggle, (so galling to a liberal and educated mind) in which is exhibited the distressing effort, on scanty means, to preserve an external decency of appearance, while many a secret privation is endured, nay scrupulously hidden within the household, by a delicacy too proud to complain, and too sensitive to brook exposure. It is high time, on this subject, to let a voice go "trumpet tongued" throughout the Church. Let those who love Christianity look to it, as they would preserve a succession of well qualified ministers at her altars. "The labourer is worthy of his hire," and the day is fast coming, when if a reasonable reward for ministerial toils is not provided, labourers worth having will not present themselves. Ecclesiastical jobbers may indeed be found, who, with the bungling awkwardness of half taught journeymen, will, no doubt, undertake the cure of souls ; and then in the prostrated dignity of the clerical office, and the

consequent contempt of Christianity, it may be discovered too late, that the Lord intends to have men of all classes in his Church; that he therefore makes pious cobblers as well as qualified clergymen, but that he does not therefore expect the former to usurp the place of the latter. The Convention was not insensible to the importance of the Bishop's observation on the subject of supporting the clergy. It ordered a large number of copies of that portion of his address to be printed in a separate form, and distributed through the diocese.

Another most important topic was brought before the Convention, in the report of a committee appointed in the previous year, on the subject of education. The report boldly took the ground that Christian education, conducted in Episcopal seminaries, and in accordance with the doctrines, discipline and usages of the Church, was alike the duty and the policy of the diocese. This is the manly and honest course. No temporizing, no wasting of efforts in the impracticable undertaking to accommodate religious instruction to the various peculiarities of religious belief in our land, will ever, in the end, redound to the credit of the Church, or conduce to the spiritual improvement of the children of Episcopalians. Let our seminaries frankly declare that they teach the truths embraced in our articles and formularies, that their usages are

those of the Church, and then let parents determine for themselves whether they are willing their offspring should be thus taught. Who ever hears of a Roman Catholic school, professing the spurious liberality that pretends to reconcile all the conflicting peculiarities of religious creeds? And yet the seminaries of the Church of Rome, in our Country, find no want of pupils. Wherever the experiment has been fairly made of a seminary avowedly attached to the Protestant Episcopal Church, it has lost nothing by the avowal, and has gained at least the world's respect for its honesty.

In Maryland, Roman Catholic schools are numerous and respectable; the children of Protestants are found within their walls. Hence is it emphatically the duty of that diocese to provide for the instruction, in religious principles and secular learning, of the children of the Church. All that is necessary is a determined concentration of effort. There is no want of pecuniary means. One hundred thousand dollars have been expended in a single year, in educating Maryland youths in schools and colleges situated within the limits of other States. All these points were presented with great force in the report to the Convention, and the plan recommended was that the Church in that diocese should make the experiment with one, but aim at the ultimate establishment of five

seminaries; two on the Eastern and three on the Western shore of the bay.

The Convention by an unanimous vote approved of the principles and plans detailed in the report; and this was all that was then done. We will not however, permit ourselves to believe that it is all that will be done.

And now it pleased God, in his providence, to order an event, that once more, fastened the attention of the diocese upon a single object, the consideration of which had been in her past history a fruitful source of trouble. The next incident we have to record in the annals of the Maryland Church, is the death of Bishop Stone. He died on the 26th of February 1838, and three months afterward, the Convention met. Before his decease the Bishop had prepared his annual address, exhibiting a long list of Episcopal duties which he had performed; this was read in the Convention, and many of the exhortations and sentiments contained in the document, came home to the bosoms of the members with the impressive solemnity of a voice from the dead. There was a simple and touching earnestness in the manner with which the good Bishop pleaded the cause of missions every where, and more particularly in the waste places of his own peculiar sphere of supervision; his pen expressed the warm glow of a Christian's feelings, as he dwelt in anticipation upon

the full triumphs of the Cross: most affectionately did he call on all, clergy and laity, to pray more and more importunately for divine illumination; satisfied that just in proportion to their own personal holiness would be their zeal and efforts to cause Christ's way to "be known upon earth," his "saving health among all nations." The whole address was the outpouring of a meek and humble believer's spirit; and, even as if he had foreseen that it was to be his parting admonition to his spiritual children, he brought it to a close in the language of an apostle. The last sentence he ever penned for his Convention was, "*I commend you to God and the word of his grace, which is able to build you up, and to give you an inheritance among all them that are sanctified.*" Meet it was that words like these should be the last breathings of love from the lips of a dying Bishop to his children.

If the worth of Bishop Stone is to be estimated by the results of his labours in an Episcopate of seven years, then must it be acknowledged that he has left behind him an honourable memorial. Singularly unostentatious and humble, he coveted not the reputation of greatness, but yielded to the nobler ambition of being good. It is no disparagement to him to say that there have been men of more intellectual power and brilliancy of parts than Bishop Stone possessed; but he was by no

means deficient in that plain, sober, common sense that often, in a quiet way, accomplishes more than is wrought out by minds of a superior order. Since the American revolution, there had never been a day, when the parishes had been better supplied than they were, on the day of his death. Seventy-two clergymen did he leave in his diocese; and never before, since the times of her colonial history, had Maryland seen that number ministering at the Episcopal altars. The general state of spirituality among the members of our communion was never greater than when he died. In proportion to the time he held the Episcopate, if we may judge from the results, he did at least as much, to advance Christianity and the Church in his diocese, as either of his predecessors.

But his character brightens upon us when we turn from his official station to contemplate him in the more familiar relations of life. What did Bishop Stone's friends and acquaintance think of him as a man? Born in Maryland, from the day of his ordination as deacon, up to the time of his death, with the exception of a single year, he lived in the parish in which he was born. What then say his neighbours who knew him from boyhood? They say, that meek, guileless, unambitious, pious, he has left behind him a stainless reputation for all that is good and upright as a

man and as a minister of the gospel. This we think is quite fame enough for any Bishop.

When the Convention met, it seems to have been with the disagreeable anticipation of a renewal of strife. One hundred and ten members assembled, and on joint ballot, the Rev. Dr. Johns was elected president by a majority of one vote. As however the committee on the rights of members to seats, reported that certain gentlemen who had voted were not constitutionally entitled to sit, and as it was understood that their votes had been given for Dr. Johns; that gentleman with a becoming sense of self-respect tendered his resignation of the office of President, and the Convention by an unanimous vote declined accepting it, and thus continued him in the chair.

After adopting measures to pay the deserved tribute of respect to the memory of the deceased Bishop, the Convention resolved to proceed to the election of a successor, and Drs. Wyatt and Johns were once more nominated by their respective friends. These gentlemen, anticipating such an event, had held a previous friendly conference, and when the nominations were made, Dr. Wyatt in behalf of Dr. Johns and himself rose, and in an address, entitled to all commendation for its Christian spirit, its modesty and its literary excellence, informed the Convention, that the individuals just named for the Episcopate, had in compliance with

the wishes and judgments of their friends, been the involuntary instruments or causes of a disunion which they both deplored: but they now felt it to be their privilege to exercise their own best judgment, and had therefore, "after a perfectly free and cordial conference" determined to unite in retiring from the position in which their several friends had placed them. They had gone further still; without presuming to dictate, or interfere with the rights of the Convention, they had agreed to join in the nomination and recommendation of the Rev. Dr. Potter of Schenectady, as a gentleman eminently qualified for the office of Bishop, and they expressed the hope, that with a due appreciation of their motives, the friends of both parties would adopt the suggestion made, and elect Dr. Potter.

The house then divided by orders, and after conference among the clergy, the recommendation was found not to be agreeable to the friends of Dr. Johns, and the result was a ballot for the two gentlemen who had thus ineffectually endeavoured to produce unanimity by a compromise. Nine times were the votes of the clergy cast without obtaining a constitutional nomination of two-thirds. On seven of the ballotings the "low church party," as it was called, had a majority; at length it was determined to suspend the voting, and the Convention unanimously acceded to a

proposition made by one of the laity, "that a committee of four clerical and four lay members be appointed to confer together, in the spirit of Christian conciliation upon the subject of electing a Bishop of this diocese, and that they endeavour to agree upon, and recommend to this Convention, a proper person to discharge the duties of that sacred office, and preserve the harmony of the Church." This committee, selected from both parties, reported that they had unanimously agreed to present to the Convention the names of two gentlemen of the clergy, either of whom they thought would make a valuable and acceptable diocesan; but as they could not decide between their respective claims, they recommended that a ballot should be taken without debate by the clergy, and that the person having the majority on such ballot should then receive the constitutional vote of two-thirds. The gentlemen whom they named were the Rev. Dr. Eastburn, rector of the Church of the Ascension in New York, and the Rev. Dr. Hawks, rector of St. Thomas' Church in the same city. To this proposal the Convention agreed, and on the ballot of the clergy it appeared that a majority of them preferred Dr. Eastburn, and he then received the constitutional vote.¹ After

¹The writer of these pages gladly avails himself of this opportunity to guard against a possible misapprehension arising from the fact of Dr

mature consideration, however, he thought proper not to accept the appointment, and thus the diocese was still left without a head.

The subject, however was one of too much importance to remain unsettled until the next annual Convention. Accordingly at the request of the Standing Committee, the President of the Convention called a special meeting of that body. It assembled on the 2d of August 1838, and was officially informed by the President that Dr. Eastburn had declined. Again was it determined to proceed to an election. Once more were Drs. Johns and Wyatt nominated, and ten times did the clergy ballot without making a constitutional choice. The old plan of a committee of conference was then adopted, and from the committee came a report that they found "it utterly impossible to unite in recommending the name of any individual, either in or out of the diocese, to fill the high and important office of Bishop of Maryland."

Eastburn's name having been presented with his own, in *seeming opposition*. Between that gentleman and the author, the most friendly relations have always subsisted. In the free and frequent interchange of opinion between them, on topics likely to interest them as ministers of Christ, very little if any difference has been found to exist, and though, in this instance, placed in seeming opposition by their respective friends, there is in truth no opposition between them. It was a subject of regret to both that they were thus unavoidably placed before the Church in the attitude of rivals.

It was then proposed that the clergy be respectfully requested to unite with the laity in a *joint* ballot for a nominee to fill the vacancy in the Episcopate, and that they entertain and consider the nomination of a diocesan accordingly. This was agreed to by a vote of seventy-two to thirty-one. A ballot was then had, when Dr. Wyatt had fifty-five votes, and Dr. Johns twenty-six. On this ballot, however, many both of clergy and laity refused to vote at all, because they viewed the proceeding as irregular and inconsistent with the express provisions of the constitution, and conflicting with the independent rights of the separate orders of the clergy and laity.

Once more therefore, and for the eleventh time, did the clergy vote, but with no result that could terminate the contest. It was then proposed to leave the determination of the matter *to lot*, and thus to settle which of the gentlemen nominated should be Bishop of Maryland. This proposition was laid on the table. At length both Dr. Wyatt and Dr. Johns addressed the Convention, and declined being considered candidates for the Episcopate. Dr. Wyatt then submitted the names of four gentlemen, at the head of whom stood the Right Rev. Bishop Kemper, one of the missionary Bishops of the Church, who are by canon eligible to any vacant diocese. He was nominated by Dr.

Wyatt, this was seconded by Dr. Johns, and on the second balloting he received the constitutional majority of two-thirds. But alas! the trouble was not yet to cease. Bishop Kemper, upon consultation, as it was understood, with his brother Bishops, saw fit to decline, and the diocese of Maryland is yet without a Bishop.

Thus have we brought our story down to the present day; and here, as we bid our readers, for the present, farewell, and willingly rest for a season from our toil; we respectfully offer the two great lessons which the events we have been relating have impressed upon us.

First, in the colonial history of the Maryland Church, richly endowed as it was, but without discipline, we learn, that no condition of outward prosperity, no possession of wealth, no influence of an establishment, no mere earthly advantages will ever alone sustain a Church. Its spiritual purposes as well as its temporal interests must be securely guarded by wholesome discipline, or its downfall is inevitable; and therefore is it unwise to attempt to plant an Episcopal Church any where, without providing for its complete organization by the presence of the highest order in the ministry.

Secondly, in the history of the Maryland Church since the revolution, we think we find it written,

(and we say it in kindness) that even with a complete organization, slow must be the growth of that Church in temporals, slower still in spirituals, that permits itself to be distracted and disturbed by the strife of party contention.

APPENDIX.

THE
A C T S
OF
D R . B R A Y ' S
V I S I T A T I O N

HELD AT
ANNOPOLIS

IN
MARY-LAND,

MAY, 23, 24, 25. ANNO. 1700.

L O N D O N .

PRINTED BY W. DOWNING IN BARTHOLOMEW-
CLOSE NEAR WEST-SMITHFIELD.

1700.

AT A

VISITATION

HELD BY HIS REVERENCE

DR. THOMAS BRAY,

AS COMMISSARY OF THE RIGHT REVEREND

HENRY LORD BISHOP OF LONDON,

AT THE PORT OF ANNOPOLIS, ON THURSDAY,
MAY THE 23d, 1700

AFTER Prayers read, and the Visitation Charge given, the Clergies Names were called over, as follows

John Lilliston, Rector of *St. Paul's* in *Talbot County*.

Benjamin Nobbes, Rector of *William and Mary's* in *St. Mary's County*.

Christopher Platts, Rector of *King and Queen's* Parish in *St. Mary's County*.

Robert Owen, Rector of *St. Paul's* in *Prince George's County*.

George Tubman, Rector of *Port Tobacco* in *Charles's County*.

Hugh Jones, Rector of *Christ's Church* in *Calvert County*.

Thomas Cockshute, Rector of *All-Saints* in *Calvert County*.

Henry Hall, Rector of *St. James's Herring-Creek* in *Ann Arundel County*.

Joseph Colbatch, Rector of *All-Hallows* in *Arundel* County.

Edward Topp, Rector of *Annopolis* in *Ann Arundel* County.

George Trotter, Rector of *Somerset* and *Stepney* in *Somerset* County.

Thomas Howell, Rector of *Great Choptanck* and *Dorchester* in *Dorchester* County.

Richard Marsden, Reader of *St. Michael's* in *Talbot* County.

Stephen Boardley, Rector of *St. Paul's* in *Kent* County.

Richard Sewell, Rector of *North* and *South Sassa-Frass* in *Cæcil* County.

Jonathan White.

Alexander Straham.

The *Visitation* was then adjourned till 4 a Clock in the Afternoon.

In the Afternoon called over the Clergies names.

To whom his Reverence deliver'd himself as follows :

Commissary.

My Reverend Brethren,

I Have little more to add to what I have given you in Charge this Morning. I shall therefore only recommend it to you to assist me in rendring this Visitation, which has called you many Score, and my self many Thousand Miles, as useful as possible. For I would not have a *Visitation* here reproachfully stil'd a *Vexation*, as some have been pleased to term the Meetings of the Clergy of this sort, from their supposed useless Charge, and Trouble. And as the only way to render what has been said useful, in the succeeding Course of

your Ministry, is, to put all the Particulars thereof into practice; so the likeliest Means to reduce it to that, will be, to take into Consideration the several Branches of this Morning's Charge, and to form some Resolutions pursuant to the same. Only in regard we have all so much Reason to be sensible of the late Re-establishment which our Church receiv'd after so terrible a shock, I think it will become Persons of our Character and Function to be in the first place, as thankful to God, so to signify our Gratitude to Man, those particularly who had the chief hand in Accomplishing so Glorious a work. And therefore, if you please, before we proceed to other Business, let us consider who *are fit to be addressed to in this Province* by us, on the Account of the late *Act of Religion*.

Ordered by his Reverence, and the Clergy here met, That our most humble and hearty Thanks be sent to his Excellency, for his late Noble Zeal and Conduct towards the Re-establishment of the Church of *England* in this Province; and that Mr. *Lilliston*, Mr. *Jones*, and Mr. *Nobbes*, do wait upon his Excellency with the same.

Ordered, That his Excellency be acquainted, that we have received and read his kind Letter in reference to Mrs. *Moor*; and do assure his Excellency, that we shall always Religiously observe the Canons of the Church, and the Laws of this Province, in this, and all other like Cases.

Ordered, That the Thanks of his Reverence and the Clergy be returned to Colonel *Thomas Smithson*, Speaker of the Hon.

ourable House of Assembly, with their Request, that the same Thanks may be communicated by him to the rest of the Members of Assembly, for their so *Honourably Re-establishing Religion* by an unanimous Consent.

And as we are given to understand, by the Assembly's Answer to his Excellency's Speech, that this was done by them chiefly with a respect to the well Principling of their Children and Posterity: So let it be assured, that, by the Divine Assistance, this shall be our particular Care. And that Mr. *Lilliston*, Mr. *Howell*, and Mr. *Trotter*, be desired to signifie the same to him.

Adjourned till 5 next Morning.

May 24. 7 in the Morning.

Mr. *Lilliston*, Mr. *Nobbes*, Mr. *Jones*, report, That they have waited upon his Excellency with the Thanks of the Clergy, as aforesaid, which was kindly accepted by his Excellency.

Then the Charge given Yesterday was taken into Consideration in its several Branches relating to *Ministerial Instruction*.

And first as to *Catechising*.

Resolved, Ist, That we will make it our utmost Endeavour to cause all Children under the Age of 9 Years to learn the Church Catechism; as also a Morning and Evening Prayer by Heart; and to perswade the Parents of those that are not at too great a distance from Church, to bring them thither to be publickly examined; and also that we will take all convenient Opportunities to visit, and examine those that are at too great a distance, at their several Homes.

Resolved, That the same Care shall be taken as to the 2d. Class; that is, those who are above the Age of 9, and under 13.

And that we will put them upon getting also by heart some short Exposition upon it, with Scripture Proofs.

Resolved, As to the 3d. Class, That we will endeavour all we can to perswade so many of the young People of our respective Parishes, as possible, to read such Books as we shall advise them, more particularly such as shall be judged most proper to instruct them in the Nature, Terms, and Conditions of the Covenant of Grace, in order to introduce them to the *Lord's-Supper*; and that in order to engage them betimes more effectually to a good Life. And that we will endeavour to have them meet us every *Lord's Day*, at the Church, or at such other Times and Places as shall be thought most convenient, to confer with us upon the Subject of their last Reading. That the better to engage them to meet us to such purposes, we will endeavour to have them taught to sing, at those Conferences, the New Version of Psalms, according to the best Tunes.

And that we may be the better able to season the Country with Vertue and Sobriety, by those of our own Houshold, his Reverence be desired to write to the *Stewards* of the *Religious Societies* in *London*, to provide them with such Servants capable to sing Psalms after the New Version, and best Tunes, to officiate as Clerks of Parishes, and such as can write.

Resolved, That so soon as we shall have duly prepared some of the Superior Class of Catechumens for the Holy Sacrament, so as not to fail of a sufficient Number of Communicants, we will thenceforwards have Monthly Sacraments in our respective Churches.

Commissary.

I think, my *Reverend Brethren*, that we are now gone through such Measures as may be

necessary to be considered for the more universal, as well as successful *Catechising*, and *Instruction of Youth*. And I heartily thank you for your so ready Concurrence in every thing that I have offered to you : And which, I hope, will appear no less in the Execution, than it has been to the Proposals.

And that proper Books may not be wanting for the several Classes of Catechumens, there is Care taken for the several sorts, which may be all had in this Town. And it may be necessary to acquaint you, that for the poor Children and Servants, they shall be given *Gratis*. Let us proceed next, if you please, to consider the most Edifying way of *Preaching*.

1. *Resolved*, That we will severally preach to our respective Flocks a Scheme of Divinity.

2. *Resolved*, That the more effectually to engage us to this Method, when more Ministers shall come in, we will take our Subjects in the appointed Scheme, and our Turns in Preaching upon the same, at such Places as his Reverence shall Order.

3. *Resolved*, That we may more effectually impress the great Doctrines of Christianity upon the Minds of the People, as well as more Religiously observe the great Festivals of our Church, we will at such Times preach upon the Subjects proper to such Days: As at *Christmas*, upon the Incarnation of the Son of God : On *Good Friday*, on the Death, Sufferings, and Satisfaction of Christ : On *Easter Day*, on the Resurrection : And on *Ascension Day*, upon the Ascension of Christ into Heaven : On *Whitsunday*, upon the Divinity and Operations of the Holy

Ghost: And upon *Trinity Sunday*, on the Doctrine of the Holy and Ever Blessed Trinity.

4. *Resolved*, That there being Multitudes, not only of Children, but adult Persons in this Province, who abstain from Baptism; we will frequently preach upon the Nature and Necessity of that Sacrament: Upon which Occasion also, finding the Prejudices of our People to be more against God-Fathers and God-Mothers, than any other Institution of our Church, that we will enlarge upon the Reason and Use of such Securities to the Church, for the Christian Education of those, who are admitted into that Sacred Society, to be Members thereof.

5. *Resolved*, That we will in our respective Counties read Prayers during the Session; and at the opening thereof, that we will read the King's Proclamation, and preach upon the Duties of the Magistrates, and against Prophaneness and Immorality.

Commissary.

I conceive we have now considered, and resolved upon Preaching, both as shall be best carried on in a Course, and so as shall answer the most considerable Occasions. It only remains, that we next consider what is to be done upon the Head of *Private Application*; and then we shall have gone through the whole of *Ministerial Instruction*.

1. *Resolved*, That, pursuant to our Ordination Vow, we will not only use publick, but private Admonitions, and Exhortations, as well to the Whole, as to the Sick, and also to all Persons, according to their several Conditions, Circumstances, and Capacities, as Need shall require, and Occasion shall be given.

2. *Resolved*, That we will endeavour to dispose our respective

Vestries pursuant to their chief Design, and the best part of their Constitution, to act, and assist us, as a Religious Society, in the Suppressing of Prophaneness and Immorality within our respective Parishes; by whose means also we hope as well to be informed in the Necessities of all particular Persons, as to be supported in the roughest Parts of our Duty.

3. *Resolved*, That, for the better and speedier Knowledge of our People, so as to be able to apply our selves to them more appositely to their respective Necessities and Conditions, we will endeavour to fill up the *Tabula prima Parochialium Inquirendorum*, as soon as we can conveniently, and return a duplicate of the same to his Reverence.

Commissary.

I think we have now gone through all the Parts of *Ministerial Instruction*. In Reference to each of which you seem to have form'd such good Resolutions, as (by the Blessing of God upon your Endeavours) will render you the happy Instruments of much Glory to God, and of saving many Souls. And if the Acknowledgements of the most sensible in this Country have been very large to me, as to your Satisfaction, I can assure you, they have freely owned, that there is a sensible Alteration over the Province for the better, since they have had a Clergy amongst them; you may Reasonably expect, that upon Conducting your selves through the Course of your Ministry in the manner you have now proposed, you will become very dear and valuable to all your People.

But still it remains, my *Reverend Brethren*, to perfect such Rules as will encrease our Favour with God and Man, that to our good *Doctrine*, we add this; that we form and maintain amongst our selves a good *Discipline*; both such as may *prevent* from coming over a sort of Men, that will infallibly give Scandal to the People, and bring Disgrace upon our selves; and such as will *Cut* off from amongst us Persons of those gangreen'd and putrify'd Morals, as will be in danger to corrupt, and vitiate both your selves, and the People committed to your Charge.

Now, in the way of *Prevention*, I think it would be of very great consequence, could we thoroughly inform our selves concerning the Conduct and Deportment, on Shipboard, of those who come over as *Missionaries* here amongst us; for by a sorrowful Experience I can assure you, that as in some Ships there are Temptations of all kinds, so the scandalous Compliances of a Minister on Shipboard will spread more from such a Place, than should he commit them publickly upon the Change. For Passengers, both free and Servants, being usually very numerous; these no sooner come to Land, but they immediately disperse themselves into all the Parts of this, and perhaps of the Neighbouring Provinces. And as any Miscarriages of the Clergy are generally uppermost in the Mouths of the *Protestant Laity*; so the ill Example of

any one Minister coming over, will be the common Subject of Discourse for Months after, wherever these Persons go, to the alienating the Affections of those of our own Communion towards us, and the Encrease of those Prejudices which our Adversaries, both *Papists* and *Quakers*, have against us. I could therefore heartily wish, that you would make it your Care to be thoroughly informed, (as it will be no difficult matter to be) whenever any Ship comes into any of your Rivers, *First*, Whether there be any Minister on Board. *Secondly*, Whether in his whole Passage he gave no manner of Scandal. And, *Lastly*, Whether he did constantly read Prayers twice a day, and catechize and preach on *Sundays*; which, notwithstanding the common Excuses, I know can be done, and to good Purposes too, by a Minister of any Zeal for Religion. And if he should be found wanting in any of these, it will be much easier to prevent his Entertainment here, than to work a Reformation in him, when he is once of us; or to exclude him afterwards, for any the greatest Mis-carriages, from amongst us.

But tho' much may be done by these means to *prevent* vicious and scandalous Men from coming in to us, in which your Intelligence concerning their Conduct on Shipboard will be a great Assistance to me; yet it will too often happen, that, that alone will not do the Work, but such *Offences*

will come, as shall extreamly prejudice both us and our Ministry, if not cured by a severe Animadversion or a total Exeision, as the Case shall require.

And indeed, it is my Opinion, that the least Mercy is due to a scandalous Clergy-man of all other Criminals; or at leastwise, that from us, such, of all others, have the least Reason to expect it. Every Minister in Holy Orders, true it is, he is our Brother, and ought to be dear to us above all other Men as such; more especially as a Fellow-Labourer with us in the Work of the Ministry: But then really, as in respect of God, every Christian is commanded to *Hate, even his Father and Mother, and Wife and Children, Brethren and Sisters, yea, and his own Life also, or he cannot be Christ's Disciple*: So out of a true Christian Zeal to the Glory of God, the Good of Souls, and the Honour of our Sacred Function; such Men amongst us as shall so fatally wound all these, as the Vices of one in Holy Orders will ever do, ought to be odious and hateful to all of us. And indeed I do think, that our Treatment to them ought to be something like that which was commanded the *Israelites* towards their Brethren fal'n into Idolatry, *Deut. 13. 6, 7, 8, 9, 10, 11.* the Parallel of which, being it may so easily be drawn to our purpose, I will recite the Words at large.

If thy Brother, the Son of thy Mother, or thy

Son, or thy Daughter, or the Wife of thy Bosom, or thy Friend, which is as dear as thine own Soul, entice thee secretly, saying, Let us go and serve other Gods ; thou shalt not consent unto him, nor hearken unto him, neither shall thine Eye pity him, neither shalt thou spare, neither shalt thou conceal him ; but thou shalt surely kill him, thine hand shall be first upon him to put him to Death, and afterwards the hands of all the People ; and thou shalt stone him with Stones that he die, because he hath sought to thrust thee away from the Lord thy God.

Thine Eye shall not pity him, tho' thy Brother, neither shalt thou spare him, neither shalt thou conceal him ; thine hand shall be first upon him, because he hath sought to thrust thee away from the Lord thy God. And surely an impious and vicious Clergy-Man hath, of all others, the least Reason to expect a partial and favourable Treatment from us, when we consider, not only that the Honour of God, and the Good of Souls, which ought of all things to be dearest to us, do so wofully suffer from such ; but we our selves are so much injur'd by them, that Men abhor the Offerings of the Lord, and despise our Persons and our Function upon their account ; insomuch, that you may ever observe, that the Miscarriages of one unhappy Clergy-Man shall be more taken Notice

of, to our Disparagement, than the most Exemplary and most laborious Lives of Ten the best Men in a Neighbourhood shall be spoken of, to the Commendation, and the Honour of our Order.

I must needs own to you, that, for my own part, I am very apt to suspect those, as not great Enemies to a vicious Life themselves, that, of all Men, can be favourable to an immoral Priest. But I thank God, I have no Reason on this account to suspect you, who did lately so unanimously concur with me in that Letter I sent to my much Esteemed Brother, his *Reverence*, the Commissary of *Virginia*, on the account of one who had lately so woefully behaved himself. And the Request wherein you joined with me, that before he should be admitted to hold any Cure of Souls there, he should be obliged to make some *Penitential*, and that a *publick* Acknowledgment, for the Scandal he hath given, to the Danger of many within this Province, gives me the Satisfaction, that I have a Clergy under me, that will not basely and cowardly suffer their Holy Religion and Function to be insulted and contemn'd, for want of a due Animadversion upon those, especially of their own Order, who shall give Occasion for it. I beseech you do not fail me in those good Expectations I have of you in this Matter also, as well as the former ; but let me see, by your good Resolutions, that you have an equal Zeal, as for the *Instruc-*

tion of the Laity, so for the *Regulation* of the Clergy. And first let me desire you to concur in what may be necessary, for the *Prevention* of scandalous Ministers from Coming over, or at leastwise from Settling amongst you.

The Clergy then desired his Reverence to lay before them the Letter which was sent to the Commissary of *Virginia*, concerning the minister that lately gave such Scandal ; which was accordingly read.

Resolved, That as well we of the Clergy, who, by reason of distance, were not conven'd by his Reverence on the Subject Matter of the Letter now read, as the rest of our Brethren, who then met, do unanimously consent to what had been therein desired, as to Mr. W——'s *Penitential* Acknowledgment, in order to take off the Scandal which he may have given to several Passengers, now settled in our respective Parishes.

Resolved, That to prevent, as far as in us lies, any Scandalous Ministers from Coming hereafter into this Province, and being settled in this Church, we will, upon the first Notice of the Arrival of any in the Rivers within our respective Parishes, inform our selves the best we can concerning their Behaviour, and the due Performance of the Offices belonging to their Function, whilst on Shipboard ; and that we will, as soon after as possibly, transmit an Account of the same to his Reverence.

Commissary.

The *Methods* which you here propose, I dare promise, will in a great measure prevent such from Coming into this Church, who would be mischievous to it. For you may ever observe, that pro-

fligate and loose Persons of any kind will soon find out the Reasons they should steer their Course another way than where Discipline meets them. And, let me tell you, it is much easier to prevent an ill Habit of Body, by a gentle Purge at first, than to cure a Gangreen by Amputation, or Excision afterwards: which, I do assure you, Mr. *T*—— even in your Case, which challenges the least Pity, would be an harsh and uneasie Operation. You know, *Sir*, the general and publick Fame through the Province, is, That you are a *Polygamist*, having Married a Wife here, tho' you had at the same time, and it is thought still have, one alive in *England*. But it is not from general and publick Report that you shall be accused of this enormous Crime. There appears enough from your examination, and your own Confession, as I find it recorded in the Council-Book, to render you unworthy of that Sacred Character you bear, or to live in any Church. I have caused a Copy of your Examination to be taken out. And pray Mr. *Howell* do you read it.

Whereupon, the Examination of Mr. *T*—— taken in Council by his Excellency *Francis Nicholson*, Esq; late Governour of this Province, was read, wherein there appeared violent Presumptions; that Mr. *T*—— had a Wife in *England*, of whose Death he could pretend no Knowledge at the same time that he took another in *Mary-Land*. To take off the force of which Accusation, Mr. *T*—— alledges now, That *M*—— *S*—— Daughter of *W*—— *S*—— of *I*—— in *Oxford-Shire*, said to be his Wife,

was not so, but one with whom he confesses, with great Expressions of Sorrow, that he had committed Fornication ; but, as an Improvement to his Apology, (for it does not appear that he had alleadg'd any such thing before the late Governour and Council) he now says, that the wicked Conversation he had with her, was, before he entered into Holy Orders. He alledges, that if sufficient Time shall be given him, he will be able to produce sufficient Proof that he was never Married to *M*—— *S*—— said to be his Wife.

Commissary.

Sir, You are to consider, That in this General Visitation, it is not designed to proceed forthwith judicially upon you ; but to take in such Presentments and Informations as shall be made against you. And, I conceive, so considerable a Record as you have now heard, will suffice to found a Libel upon. But tho' your Crime should be as great as it appears to be, God forbid that you should not have a due time allowed you to make your Defence. No, *Sir*, your Defence is what I desire, and would heartily rejoice to see. But then you must take care that it is a good one, such as may be Satisfactory to all Persons that will be satisfied with Reason ; or otherwise, your Impunity will continue to expose this poor Infant Church to the same Dangers, Insults, and Indignities, which the Scandal you are supposed to have given has hitherto caused, from its Enemies ; and which, by your own Confession, granting your Crime to be

that of Fornication, is not groundless. And indeed, *Sir*, if you will weigh your own, and the Church's Interest, in an equal Ballance, you will have as little Reason to expect Partiality on your own side, as ever any Man, who pretended to Favour. For should it prove true, that you are guilty of the Fact, besides, that in its nature it is the most atrocious one that can easily be named, it has these four Aggravations belonging to it, than which I can scarcely imagine any Enormity capable of greater. *First*, That it is done by a Person in Holy Orders. *Secondly*, By a *Missionary*, (which, by the way, my *Brethren*, should be a Consideration of no small weight with all of us.) *Thirdly*, As to Time; that this Scandal is given at a Juncture when our Church here is weakest, and our Friends seem to be fewest, and our Enemies strongest. And what more popular Argument could they use, then, *You see what sort of Persons the 40l. per Pole goes to maintain*. And, *Lastly*, as to Place, it so happens, that you are seated in the midst of *Papists*, nay, within two Miles of Mr. *Hunter*, the Chief amongst the numerous Priests at this time in this Province; and who, I am credibly informed, by the most considerable Gentlemen in these Parts, has made that Advantage of your scandalous Living, that there have been more Perversions made to *Popery* in that Part of *Mary-Land*, since your Polygamy

has been the Talk of the Country, than in all the time it has been an *English* Colony. These Considerations, *Sir*, do make it necessary that all possible Expedition, which is consistent with common Justice, should be made in this Affair, so as to acquit you or condemn you. And therefore, to divide equally between the Demands of Justice from the Church, and your self, what think you of the 13th of *November* next to make your Appearance in this Place, with a Reserve to my self, to adjourn to a further time, as there shall be Occasion.

Mr. *T*—— accepts of the Time given him till the 13th of *November*, 1700, to make his Defence.

May 25. in the Morning.

Commissary.

I heartily thank you, my *Reverend Brethren*, for the good Assistance you have given me in this Visitation ; but especially for your ready Concurrence in all that I have propos'd, as requisite, to put this Church in some Order, and your selves in a Method of doing the greatest Good in it. All that I have more to add, is, That we should look back upon the Deliverance this Infant Church has so lately receiv'd, as having been, in human Appearance, totally stiff'd, and extinguish'd, till the Re-establishment it has receiv'd, within a few

Days, by a new Law. I was always indeed of the Opinion, that it would be more the Calamity of the Province, than of you, to have your Support taken away from you, and your selves return home; and therefore often did bespeak the People, in these words; *Weep not for us; Weep for your selves, O ye Daughters of Jerusalem*; assuring them, that those amongst you who had deserved well, should be better provided for elsewhere, if the Law of Religion were not renewed. However, upon the Church's Account, it becomes us of the Clergy to be the first in Gratitude to God of all kinds; and in this especially. And, I humbly conceive, that cannot be better exprest, than by considering the destitute Condition of a poor Sister Church, very near us, struggling hard for Life, and wanting both the Comfort of Ministers, and that Settlement which this, by the Divine Goodness, does again enjoy. And methinks it would be a suitable Return from us, should we subscribe, out of our Penury, each of us a little towards the Maintaining of one more Minister in it, to assist in the Conversion of many People, who do there seem to be *τεταγμένοι sive dispositi, εἰς ζωὴν αἰῶνος*; and whence, by two Letters which I have lately receiv'd they do importunately cry out for more Labourers to be sent into that Vineyard. I have so far presumed upon your Charitable Compliance, as to draw up already some Propo-

sal's to this Purpose ; which, if you please, I will read to you, and leave the Success to your Determination.

PROPOSALS for the Propagation of the Christian Religion, and for the Reduction of the Quakers thereunto, in the Province of Pennsylvania.

WHEREAS, to the great Dishonour of God, and the Destruction of a Multitude of Souls, as well as the great Scandal of the Reformed Religion, many Thousands of the People call'd *Quakers*, have been sadly deluded into a total Apostacy from the Christian faith ; and giving themselves up only to the Conduct of the Light within, or meer natural Conscience, have rejected the Holy Scriptures from being the Rule of Faith and Practice.

And whereas *Pensylvania*, of all the *English* Colonies on the Continent of *North-America*, does most of all abound with that sort of Unbelievers, where notwithstanding, through the blessing of God upon the labours of such who have hitherto endeavoured the Reduction of that People, many of the *Quakers* have returned to the Christian Faith, and others amongst them are so stagger'd, as to doubt that they are in a dangerous State of Unbelief ; so that now there wants only, under God, more Labourers to be sent into that Field, which seems to be White for Harvest.

And lastly, Whereas we the Clergy of this Province, being sensible of the great Mercies of God, in the Establishment which we have lately receiv'd, think our selves obliged, out of Gratitude to God, and Compassion to those People who are not yet happy in the like, to provide, so far as in us lies, for the Propagation of the same Gospel amongst them, which we our selves labour in : We do subscribe the several Sums to our Names annex'd, to be paid yearly, at the *General* and *Autumnal Visitation* as his Reverence Dr. *Bray* shall direct, towards the Maintaining

of another Minister in *Pensylvania*, till such time as a settled Provision can be made for them in that Province: Which God in his due time will provide.

	<i>l</i>	<i>s.</i>
<i>Thomas Bray, D. D</i>	10	00
<i>John Lilliston</i>	01	10
<i>Hugh Jones</i>	03	00
<i>Thomas Cockshute</i>	01	10
<i>Joseph Colebatch</i>	03	00
<i>Henry Hall</i>	03	00
<i>Richard Sewell</i>	01	10
<i>Stephen Boardley</i>	01	10

We the Clergy assembled at this Visitation, do request his *Reverence* to communicate the foregoing Proposals, relating to the Encouragement of another able Minister to come over to *Pensylvania* to his Reverence Mr. *Blaire*, Commissary of *Virginia*, that he also may promote the design amongst our Brethren, the Clergy in his Jurisdiction.

After which, the Visitation being about to close up, the Clergy did very much press his *Reverence*, both in Debate, and by Reasons offered in Writing, that he would please to take a Voyage into *England*, upon the Service of this Church, as conceiving he would be capable of doing it much more Service at home the remaining part of this Year, than by his Presence here, till his next Visitation, which they earnestly request he would Personally make amongst them.

To which his *Reverence* made answer, "That he hoped they
 "were all satisfied in the Sincerity of his Intentions to serve the
 "Church in these Parts in the best manner should be thought in
 "his Power. And therefore, tho' he could offer many Reasons
 "why they should excuse him so troublesome a voyage, taken

“with a Design to return again; yet he would not venture to
 “determine himself in this Affair; but would leave himself
 “wholly to be governed by his Excellency’s Pleasure in this
 “Matter. Upon which the following Address of the Clergy was
 drawn up, read, and approved of.

Ordered, That Mr. *Nobbes* and Mr. *Colbatch* wait upon his
 Excellency, to inform his Excellency, that the Clergy crave leave
 to lay some things before his Excellency, before the Conclusion
 of the Visitation; which accordingly they did; and return’d
 Answer, That his Excellency was always ready to receive what
 they should offer.

Ordered, That Mr. *Lilliston*, Mr. *Nobbes*, Mr. *Sewell*, Mr.
Cockshute, Mr. *Colebatch*, do carry an *Address* to his Excellency
 relating to his *Reverence’s* going for *England*.

May it please Your Excellency,

WE the Clergy of this Province being met together at a *General Visitation* of the Reverend Dr. *Bray*, Commissioned there-
 unto by our Right Reverend and Right Honourable Diocesan
Henry Lord Bishop of *London*, crave leave, in the first place, to
 Represent to Your Excellency our most grateful Acknowledg-
 ments for Your late Noble Zeal and excellent Conduct in the *Re-*
establishment of the Law of Religion; which we can assure
 Your Excellency, we have already found to be no less to the
 Satisfaction, than it will prove to the real Advantage of the
 whole Country. And being much encouraged to address our
 selves to Your Excellency on all important Occasions, by the
 easie Access You are always pleased to grant us; We Humbly
 crave leave to Represent to You the following Considerations,
 relating to an Affair, which we Humbly apprehend to be of some
 Consequence.

The Clergy of Mary-Land's Reasons, whereby they earnestly moved his Reverence Dr. Bray, to undertake a Voyage into England at this juncture. Given in at his Visitation, May, 25.

First, Because it seems necessary to have an Agent in *England* to solicit the Perfecting of the *Law of Religion* by the Royal Assent. In order to which, it may be requisite to have some one upon the Place, who can be able to obviate, and answer the Suggestions of all the Enemies to that Law; which, should any obstruct, his *Reverence* would be best qualified to represent the *True State* of this Country at home, having, to our Knowledge, by his Parochial, as well as General Visitation, and by other Methods, thoroughly acquainted himself with the *State of Religion*, in these Parts; and does Personally know the universal Desire of the People to have it Established, and maintained amongst them. And we are more confirm'd in this Opinion, it being, to our Knowledge, the Sense of many intelligent Persons in *Mary-Land*, that his *Reverence* should be desired to go home with this Law.

Secondly, Because an Account from his *Reverence's* Personal Knowledge of the State of the Church, and the Clergy here, will be most likely to encourage at home such as are Lovers of God, and Friends to Religion, to assist this Infant Church in the Perfecting of the *Parochial Libraries*, and other good Designs, which we already find so advantageous to us in the better Discharge of our Ministry.

Thirdly, Because there being very many Clergy wanting to supply the vacant Cures of this Province: And it being of the greatest consequence that they should be the best chosen, that can be induced to undertake the Mission; his *Reverence* having Personally seen the State, the Temper, and Constitution of this Country, will be the better able to choose proper Persons,

such as may be best Qualified for the Service of the Church in these Parts.

Fourthly, Because his *Reverence* returning back with them, it will be the greatest Encouragement to sober Persons to come over: And he may the better know their Behaviour at Sea; a thing of the greatest consequence to the Acquiring a good Reputation in this Country.

Lastly, Because his *Reverence* having put us, in this his General Visitation, in so Excellent and Exact a Method, for the due Performance of all the Parts of our Ministerial Function, there appears no great Necessity of his farther Residence amongst us, till early the next Spring; by which time, we earnestly desire he would please to return, for our farther Encouragement, and the Benefit of his prudent Conduct and Advice. At leastwise, the Advantages we propose to this Church, by his going for *England* at this Juncture, do with us much overballance the Reasons of his Stay here.

May it Please Your Excellency,

Having now, at the Close of our *Visitation*, earnestly moved his *Reverence* with the foregoing Reasons, for his consent to undertake so chargeable and troublesome a Voyage to *England*, and back again, in the Service of our Church, according to his usual Zeal to serve its Interest, in such Ways as shall be thought most Advantageous; he refers us entirely to Your Excellency, whose Judgment and Commands will always have the greatest Weight, as with his *Reverence*, so,

May it Please Your Excellency,

Your Excellency's most Dutiful,

And Obedient Servants,

John Lilliston.

Hugh Jones.

Thomas Cockshute.

Joseph Colbatch.

Henry Hall.

Richard Sewell.

Stephen Boardley.

John White.

His Excellency's Answer.

THAT he refers it wholly to his Reverence Dr. *Bray*, and his Clergy, to resolve upon it; and that he will contribute all that in him lies, to confirm, and corroborate whatsoever they shall resolve upon.

Ordered by his Reverence, That the General Visitation shall henceforwards be held Yearly on the first Wednesday, after Low-Sunday, at the Port of Annopolis.

Ordered by his Reverence, That the Autumnal Visitation for the Eastern Shore, be held at the Town of York, in the Court-House belonging to Talbot County, on the Wednesday immediately following the Feast of St. Michael.

Ordered by his Reverence, That the Autumnal Visitation for the Western Shore, be held at Annopolis, in the State-House, on the second Wednesday of November.

Laus Deo, Patri, Filio, & Spiritui Sancto. Amen.







